00026935

THE
ASIATIC SOCIETY OF BOMBAY
Town Hall, Bombay

Digitized with financial assistance from the
Government of Maharashtra
on 21 October, 2015

GERMANY

B. 2854.

AND

THE REVOLUTION.

RR-a 34

BY

PROFESSOR GOERRES,

LATE EDITOR OF THE RHENISH MERCURY.

FF. a 34

TRANSLATED FROM THE ORIGINAL GERMAN,

By JOHN BLACK.

26935

ac

LONDON:

PRINTED FOR LONGMAN, HURST, REES, ORME, AND BROWN,

PATERNOSTER-ROW.

1820.

943
Goe/GCL
26935

Printed by Graham and Spottiswoode,
Printers-Street, London.

TRANSLATOR'S PREFACE.

The conferences at Carlsbad, and the proceedings of the Diet of Frankfort, which immediately followed them, filled Germany with consternation and alarm, and threw a damp over the public mind throughout the rest of Europe. The resolutions of the Diet were completely at variance with the spirit of the present age, and what was generally understood to be the opinions and sentiments of the great body of the people of Germany. They may be said to form the first overt act of an æra which must terminate either in the most unqualified despotism, or in a revolution in Germany; and they cannot therefore be viewed with indifference by other nations.

The Resolutions in question have been inserted in all the journals of this country,

and as they are yet fresh in the public recollection, it is unnecessary to enter here into any particular account of them. It may be enough to state, that they put an end to all the hopes of constitutions which the people had been led to entertain from the thirteenth article of the Federal act; that they struck at the independence of the universities; that they placed the press in a state of the most abject thraldom; and that they established a secret tribunal at Mentz, with the most ample inquisitorial powers, to the dungeons of which suspected persons were to be conveyed from every corner of Germany, with the view of completely extirpating every vestige of liberty and independence. If any thing were wanting to place the character of these resolutions beyond the possibility of doubt, it was supplied by the famous circular from the cabinet of Berlin to its ambassadors at foreign courts, in which the most arbitrary and despotic sentiments are unequivocally avowed.

But these public acts, although they throw a strong light on the views and sentiments of the sovereigns of Germany, and

prove that great dissatisfaction prevails there, leave us altogether in the dark as to the particular grounds and causes of the dissatisfaction, respecting which little is known with certainty in this country. Germany is a world within itself, to which the south of Europe and even this country are in a great measure strangers. No language is perhaps the depository of such stores of information on all subjects as that of Germany. Literature and philosophy are assiduously and extensively cultivated by the Germans, and the multitude of new publications entered twice every year in the Leipsic catalogues fill all strangers with astonishment. But the difficulties which the acquisition of the language presents to the natives of the south of Europe, and even to the people of this country (though the English and German are *radically* kindred languages) are such that the knowledge of it is yet very rare, and will hardly ever become general among them. From this ignorance of the language proceeds an ignorance of the state of the country and the feelings and opinions of the people. The meagre extracts from journals,

which occasionally appear in the French and English newspapers, serve to whet curiosity rather than to gratify it.

The work of which I here submit a translation to the public, is calculated to afford that information respecting Germany which is most wanted at the present moment. It contains a masterly review of the conduct of the different governments from the overthrow of Napoleon down to the present time, and of the sentiments and opinions of the different parties, during the same period. The author, M. Goerres, is held in high estimation in Germany, as a literary and political writer, and from his connection with various individuals, high in station and influence, he was amply qualified for the task which he undertook. The work has been already partially translated in French, and, according to the German journals, it has been translated even into the Swedish language. The author was the editor and principal writer of the Rhenish Mercury, a journal of the greatest influence in Germany, and well known in this country, which was suppressed in the commencement of 1816 by the Prussian

Government. He is a native of Coblentz, where the Rhenish Mercury was published. On the formation of the Cis-Rhenan Republic, he was named by his fellow citizens a member of the committee in whose hands the government was vested, and he was afterwards appointed one of the deputies sent from the Rhine to Paris to effect the union of the Cis-Rhenan with the French Republic. He is allowed, even by those who disapprove of his opinions, to be a most honourable and upright man, and no individual enjoys in a greater degree the confidence of his countrymen.

The following summary of his literary and political merits, from the pen of the celebrated Benjamin Constant, may not be unacceptable to the reader: —

" When I resided in Germany six years ago, I anxiously wished to become personally acquainted with M. Goerres, or to correspond with him. His extensive knowledge, his high fame as a professor and author, the works which he published on the religions of antiquity, induced all travellers who possessed a regard for science and learning to visit him. Though he

declared himself against us during our victories, his motive justifies him in the eyes of every impartial Frenchman. He defended the independence of his country. He rendered the greatest services to Germany. He wrote for Prussia and for his King when they were weighed down by an oppressive yoke. Without Goerres, without Arndt, without Jahn, the kingdom of the great Frederick would now probably be in the condition to which it was reduced by the defeats of 1806. Whoever has truly served his country has claims on our honour."

Of the importance attached to the work of M. Goerres, in Germany, a better proof cannot be afforded than the strict prohibitions against printing or selling it, which have been repeated in every corner of that country; and the persecution which it has drawn down on the author. The work was confiscated, though a number of copies had previously found their way to the public, and the following order was issued by the King of Prussia for the seizure of his papers: —

To Lieutenant-General von Hacke, and the Minister of State Von Ingersleben.

" The culpability of Professor Goerres, who, in his work committed to the press, entitled " Germany and the Revolution," notwithstanding he enjoys from the liberality of the State a salary of 1800 rix-dollars, has not refrained from making use of the most disrespectful language towards his own and foreign sovereigns; and, under the appearance of warning the people against revolution and illegal violence, and recommending peace, has endeavoured, by the most audacious censure of the measures of government, to fill the people with rage and discontent, is so evident, that I hereby commission you to seize the whole of his papers, and to transmit them under Seal to the minister Von Schuckman.

" FREDERICK WILLIAM."

" Berlin, 30th Sept. 1819."

The seizure of the papers of M. Goerres was to have been accompanied by his arrest; but he contrived to make his escape in time to Strasburg. Shortly after his entrance

into France, the following letter appeared in the Parisian journals: —

SIR, STRASBURG, Oct. 25. 1819.

The French Papers have occupied themselves of late with the persecution I have been subjected to, on account of my work, *Germany and the Revolution*, — and I have to express my satisfaction with the honourable manner in which all of them, either in writing or in remaining silent, have acted towards me on this occasion. — Seeing myself arbitrarily deprived of the benefit of the Civil Law, I felt myself obliged to throw myself under the protection of the Law of Nations, not to oppose authority which I respect, but to place it in *an impossibility for its own interest*, of proceeding otherwise in this cause than by legal means. Yes, during the war, I frequently and forcibly raised my voice against France; but in this I followed the dictates of duty and honour; I should even have fought with arms in my hands, if an occasion had presented itself; but in defending the liberty, the honour, and independence of my country against a

foreign yoke, I never forgot what man owes to man. After the passage of the Allies, when the Russian police first, and the Prussian police afterwards, brought from twenty to thirty French *employés* to Dresden and Wetzlar as suspected persons, these men and their families, through a confidence, which was flattering to me, applied in preference to me, though they were not ignorant of my political opinions, and I procured for them, from the governor-general of that town, not merely their liberty, but assistance to several of them to return to their own country. I now claim the same hospitality, not as a *favour*, which would be incompatible with my honour, but as a right. Even the Bedouin exercises this hospitality towards his enemy; and surely it ought to be a law for civilised Europe, in times full of trouble, party rage, revolutions, unexpected changes, in which no writer, no statesman even, has any certainty, that what he grants to-day, may not be claimed for himself to-morrow.

"GOERRES."

The translation of the work of M. Goerres is by no means an easy task. M. Scheffer, the French translator, gave only an incomplete translation of rather more than the half of it, and abandoned the rest in despair. "The German language," he says in his preface, "admits of modes of expression (*tournures*) full of force and energy, which it is impossible to convey in French, and no writer employs them more frequently than M. Goerres, who is justly esteemed one of the most eloquent men of his country." The English language admits, in common with the German, of many combinations incompatible with the genius of the French; but still such is the flexibility of the German, and the extent of its psychological resources, that it possesses many words for which there are no synonymes in any modern language, and of which it is extremely difficult to convey the precise meaning even by periphrasis. I have, however, endeavoured to struggle with the original as well as I could, and I have omitted nothing. The reader who has reflected on the aid which the mind derives from language, in enabling it to attain a precise knowledge of its conceptions, will know

how to appreciate the difficulty of conveying the meaning of expressions, for which we have no synonymes.

The French translation is accompanied by a communication from M. Goerres to M. Scheffer, which may be considered as a valuable key to many parts of the work. It has been on that account prefixed to the present translation.

JOHN BLACK.

COMMUNICATION FROM M. GOERRES

TO THE FRENCH TRANSLATOR.

HAVING learned that a translation of my work was in preparation at Paris, I conceive myself bound to add a few words, in order to establish the point of view under which it ought to be considered.

In the first place it ought to be kept in mind, that the situation of public affairs in Germany, far from being the same as in France, is, in many respects, diametrically the reverse.

In France, the third Estate produced the Revolution. Experiencing resistance on the part of the other Estates, it destroyed their privileges, and triumphed over them after a short struggle. When, at length, the Dynasty, the Aristocracy, and the superior Clergy, emigrated with the ancient history, of which they were the principal elements; the Revolution, that had maintained itself for twenty-five years, became a new history, which is now struggling with the one that has returned. In this conflict between new and old interests, the

Syncretism *, established and fixed by the charter, seeks to consolidate itself by the conflict of parties.

In Germany it is quite the reverse. There, it is not the third Estate which has produced a revolution; on the contrary, the cabinets have effected a revolution under the protection of a foreign power. They have expelled the superior clergy from the empire, and have shared among them their possessions. They have, in the same manner, destroyed the high immediate aristocracy of the empire; they have possessed themselves of their estates. As to the nobility, they have, for a long time, been in a state of complete subjugation; the ancient liberties of the third Estate have been unable to resist the encroachments of power, aided by foreign bayonets. By the same means the Princes also have succeeded in destroying the unity of the empire. To the totality of these usurpations, and these acts of despotism, they have given the name of *Sovereignty*.

---

* *Syncretism Syncretismus*, the endeavour to reconcile opposite opinions. *Trans.*

Such was the situation of things in Germany, when, in 1813, the German nation rose against this yoke of foreigners. Having freed themselves from the yoke, they soon found that these usurpations of power, which the usurpers wished to defend at all hazards, formed the principal obstacles to their prosperity and their future safety.

From that moment began the struggle which agitates Germany in all its elements; the struggle between the ancient and historical liberties of the third Estate, and the pretensions of that *Sovereignty*, which defends with all its strength, and with all its means, its history of a few weeks, against that which has endured for several centuries, and which the people claim along with unity and liberty.

Such, in a few words, is the true state of affairs in Germany, which it is impossible to compare with what is observable in France. With us, those who avail themselves of the forms and practices of Jacobins, are the partisans of despotism, while the friends of liberty defend, in part, the principles of the French *Ultras*. Hence that confusion, which, at first sight, troubles

and confounds the foreign spectator who contemplates this movement.

It is in the conviction of this difference of position that my work was composed, which has been claimed both by the Liberals and Ultras, but of which the true character may be easily known by the persecution it has drawn down on me.

As Germany is still in want of a charter in which the conflict of parties may be conciliated, it is the duty of writers to direct their efforts constantly towards this point, which alone can bring about a reconciliation. A people who see themselves menaced, on the one hand, with subjection to the yoke of despotism in their interior, without any guarantee from foreign attacks; and who, on the other hand, foresee all the horrors of a revolution, ought, from the very nature of things, to seek a rallying point, to which all parties, notwithstanding their animosities, may be obliged to repair, except they wish to run the risk of a terrible explosion, and the most dreadful extremities.

These few words will also serve to explain the reasons which induced me to

declare myself in my country in so absolute and unqualified a manner against the mockery of French liberalism. I am convinced that there exists in France a powerful party of sincere, disinterested, and well-intentioned men, who defend whatever is just and true, and form the true public opinion of that country. He who from an absurd feeling of hostility should undertake to deny this truth, would commit a folly, the consequences of which would only fall on his own head. But jealous, on the one hand, of the honour and independence of my nation, I wished it to form individual maxims and signs for relations which are peculiar to it; and I wished, on the other hand, to proscribe the courtier-like liberalism, which in its servile baseness would truckle to every species of despotism, and flatter every description of power; and which endeavours in return to deceive itself and impose on others by the sounding words of liberty and independence.

J. GOERRES.

STRASBURG,
Oct. 26. 1819.

Neque sic accipiatis, tanquam exprobraturus praeterita surrexerim. Nam veterem quidem culpam intempestive objicere, inimici et alienis erroribus petulanter insultantis animi est: probi viri et salutis communis studiosi, peccata civitatis tegere, aut excusare malunt, nisi quoties ad calamitatem publicam amoliendam, praeteritarum offensarum recordatio grande momentum habet. Nam ab errore quidem omni, homines quum simus, immunes haberi velle, nimium et superbum: *sed ad eumdem Lapidem crebro impingere; neque saltem eventu temeritatem castigante ad cautionem erudiri, id vero jam vix bene humanum est.* Liv. D. ii. L. xii. c. 12.

GERMANY

AND

THE REVOLUTION.

After a violent party struggle of four years, a blind and foolish opposition to the claims of the age, and partial concessions to them on the one hand, and exaggerations of various descriptions on the other, things have at length come to such a pass, that the minds of men throughout all Germany are in a state of the most violent excitation; and that disposition has become universally prevalent, which is usually seen to precede great catastrophes in history. What the most active, the most crafty, and deceitful demagogues, with all their intrigues, could never of themselves have effected from below, has been successfully accomplished by the dexterous co-operation

of those who have taken the business in hand by the long arm of the lever from above; and thus the peaceful, the tranquilly disposed, the sober-minded, and moderate people of Germany, have been agitated in all their elements and all their depths, and worked up to the utmost degree of bitterness and rage. And that these agitators may, with the utmost justice, lay claim to the greatest part of the honour of this achievement, they are now preparing with the utmost joy and alacrity to supply, in a short space, what little may yet be wanting to give the last finish to the whole; that the work, in all its parts, may exhibit the hand of a master. As whenever the agitated passions seemed in any measure to subside, they have always, at the suitable moment, supplied new incentives to discontent and irritation; as with inimitable dexterity they have contrived to find out the weak side of every one, and availed themselves of every occurrence of the times to apply its sharp edge to the sore, or yet imperfectly cicatrised places; they have thus actually discovered a secret for rousing the whole body of the people, so

that a common feeling of discontent prevails from one end of the country to the other; and the governments are at this time entangled in a hopeless contest with all that is good and noble and energetic, and are lost in errors from which they will never be able to extricate themselves by the ways they have hitherto pursued. As in a sultry and oppressive summer-heat, when the sky begins to overcast, the dread of the dark and boding tempest is unable to extinguish the inward longing of nature for the refreshing coolness which follows in its train; in like manner public opinion has now almost reconciled itself to all that is most dreadful in events, if they only promise to relieve us from our present ignominy, and open to us a source of pure hope in the heavens, the face of which is now obscured by a vapour which veils every happy star from our sight. Hence those birds of presage, harbingers of the approaching tempest, the youths who, to remove out of the way the base and unworthy in its organs, devote themselves to death, fill it not with alarm; nor was it surprised when the discovery of a great and wide-spread

conspiracy for the establishment of a German Republic was announced from Berlin, because the experience of the last age has sufficiently inculcated the knowledge of the universal law in nature, that every extreme has a necessary and inevitable tendency to produce its opposite. Only one thing amidst the alarm created by the breaking open of trunks, and boxes, the going and coming of gens d'armes and police agents, the precaution which seemed to have been taken purposely, as it were, to trample on all judicial forms, the trouble and uneasiness given to peaceable men, whom the least tact or knowledge of the world would at once have acquitted beforehand, the examinations and sealings of papers, arrests, and discharges from arrest; only one thing was wondered at in the midst of all these fearful movements, that, while searching for traces of secret conspiracies carried on in the dark, these profound politicians should see nothing of a grand conspiracy, which spreads its extensive ramifications over all Germany, throughout every rank and age and sex; which sits murmuring by every hearth, which raises its voice aloud in

markets and highways, which is easily perceived in all its members without any sign, and which, without secret heads, and without impulse from a common centre, works constantly in concert and with the very best understanding to promote one common end; which stares with many thousand open eyes into the most hidden recesses, and which has many thousand arms constantly at command; that conspiracy, namely, in which the irritated feelings, the disappointed hopes, the wounded pride, the sufferings and oppression of the nation, have associated themselves together against the rigid obstinacy of arbitrary power, the mechanism of lifeless forms, the devouring poison of despotic maxims of government unconsciously acted on, the fruit of the corruption of the times, and the blindest prejudices; and which conspiracy, powerful and formidable to a degree that no former one ever yet reached, and growing every day in power and activity, is so sure of attaining its object, that the danger will not certainly arise from the tardiness, but from the excessive rapidity of its progress.

In this situation of affairs, till the hand which wrote to the French their *Mene Tekel* and *Peres* in the flames of Moscow, shall also write our irrevocable doom in letters of fire in the heavens, the command has gone forth to every man whose senses the tumult of the times has not perplexed, and who still holds his head in quiet self-possession above the agitated waves, to stand on the watch-tower of the times, patiently to observe their signs, to call out and to warn without ceasing. Assuredly there is a time for silence and a time for speech. When self-conceit boldly bestrides, and recklessly gives the rein to the high horse, on which it furiously gives chace to every lust of the imagination, and every noxious passion; when, forgetting the power of its origin and the eternal standard of things, irritated by times, which it is unable to comprehend, and still less knows how to controul, it loses all presence of mind, and madly throws down all the fences by which the angry *Nemesis* is separated from us, and not merely breaks through the ethical limits of the allowable and the unallowable, but even betrays an ignorance of all the

more delicate relations of what is becoming, and what never can be becoming, and proceeds without consistency at one time to exercise acts of the most tyrannic violence; and then, having, by such violence, forfeited every right, relapses again into weakness and yieldingness, and displays signs of the most imperturbable placidity: in the approach of such a paroxysm, an individual may certainly be allowed to step quietly aside, confiding in the powerful law which God has given to society as well as to nature, and which, with tranquil and invisible working, and a scarcely perceptible resistance, easily repels the efforts of arrogance, and hurries on every excess to its own destruction. But when a remission again succeeds to the paroxysm, and when in favourable moments something like self-possession returns; when the nature of things has repelled the attack, and the metallic band, by which the whole is girt round, has only been drawn tighter by the shock; then a word of exhortation may again be suitable, and we are commanded to speak. All great and general events have their internal natural necessity, their

transits, their cycles, and their returns; and the frenzy of the present times has also its stationary intervals, its periodical risings and declensions, and its critical moments, and in so far the cause of things cannot be altered by human efforts. But it is only the passions which fetter us to this power of nature. On the other hand, whatever of pure thought and undisturbed volition is instrumental in the bringing about of events, to that extent, they are subject to the influence of freedom; and as Providence only during the absence of the latter, arms the former against each other, like the physician, who, when one of the vital powers is in a state of distempered activity, calls forth another power from a state of repose to make head against it. In the same manner, whoever would work with salutary effect on a diseased age, must first endeavour to introduce a clear light into the prevailing confusion of ideas; and then things are so ordered in the world that when the mind can look with clear intelligence into itself, the dæmon-powers must even involuntarily become subservient to it.

The author of these pages, during the course of the last war, frequently addressed himself to the nation, and acquired its confidence. Having afterwards, from motives which he has just now in part alluded to, withdrawn from the public scene, he yet allowed no important occasion to escape for impelling, restraining, assisting and arresting, censuring and exhorting his countrymen, according as he thought the exigencies of the times demanded, in order that he might prove himself not unworthy of their confidence. A stranger to the fear of men, and that timid apprehension which would only tell the truth by halves, he has always spoken the sentiments of his heart without hesitation, and without reservation. He has sought only the truth, and whenever he was convinced he had found it, he never failed to take the liberty of expressing it; for truth without freedom is as a buried treasure, "a spring shut up, a fountain sealed."* But freedom without the love of truth, is the "treasure of wickedness in the

* Solomon's Song, iv. 12.

house of the wicked, and the scant measure that is abominable;" * the *Pallium* and *Palladium* of the utmost malice and the most refined deceit, as Haman had occasion to observe. Holding in small estimation what is commonly called worldly prudence, but by no means therefore withdrawing himself from that higher prudence which is compatible with simplicity of heart; it has been his constant endeavour, with the least possible deviation, to tread in the path of justice, and every day has added strength to his conviction, that this path uniformly leads most speedily to the object in view. Resigning himself in security to the guidance of an instinct which has more than once been his preservation, perplexing himself not with over-anxious enquiries into the consequences of action, as for every act which has its origin in pure motives, and on a view of the relations of things not altogether disturbed, there is provided an outward room and an effect, while what is tortuous uniformly annihilates itself; he has

* Micah, vi. 10.

followed with a tranquil eye its circle in the waves, till, extending itself more and more, it has at last disappeared in the distance. Never renouncing the rights of truth, though sometimes, it is said, in the zeal of speech, exposing with too little tenderness the errors of individuals, he has never been seriously attacked, because that internal feeling of justice among the Germans, which happily can never be altogether extirpated from the breast, even of the most callous, operated always secretly in his favour; and the wicked who raised their arm against him, in the hurry of their passions impeding and neutralising the blows of each other, always left a course open for him between them, through which he could pass with safety. The impartiality with which he surveys the contest, must therefore appear as a more particular call on him, and a more pointed duty, to speak in the language of reason so long as it may yet be time, and before swords shall become tongues to cut their sentences into the raw flesh. Let the following pages therefore be considered as a mirror of the time, by looking seriously into which, it

may view its own shape and semblance. May the spirit which lives in these words, be as the warning fire* on the mast of the vessel of our country, that it may prepare itself for the coming dangers, and either seek a secure harbour, or stand out betimes to the open sea! If laid to heart, and received in the ground of the present age, which has given way in so many places, it may perhaps become the seminal principle of a better futurity; if not, it may be considered like all that preceded, as an appeal of the better part of the present to a future time, and as an attempt to preserve its sound understanding from evil suspicion, which is but too much justified by events.

When an evil which has been generated under the influence of malignant stars, and

* *St: Elmsfeuer*; in the original, *St. Elmsfeuer* or *Helenenfeuer*, a species of *ignis fatuus* arising from evaporations in ships, which attaches itself to the masts and yards, and is considered by sailors as a certain sign of their approaching fate. Pliny tells us, that, when in a storm two lights appeared on a vessel, the sailors called this phenomenon *Castor* and *Pollux*, and, when only one, *Helena*. *Trans.*

growing with the nutriment of unfavourable circumstances, has every day acquired more and more internal consistency, till it at length reaches the point of violent explosions; if we wish to ascertain, by a satisfactory investigation, whether there is any possibility by a concurrent effort of guiding such a calamity to an advantageous result, it will always be best to go back to its origin, to the point where it first flowed together from a number of hidden springs, and to follow it through all the stages of its development, till it attains its final configuration, and then to oppose the insight, which we have thus gained, to the complicated movements which at present constitute one of the main sources of all moral and social evil. In proceeding on this principle, when we speak of the calamity of Germany, we must, at least, go back to the congress of Vienna, which again has reference, no doubt, to relations that endured for centuries; but yet, in so far as it is a free work of our contemporaries, becomes responsible to the present and future times, which, though conscious that it was itself the offspring of predecessors pregnant

with mischief, will still justly consider it as the fruitful womb of their evils—evils that, when once delivered to the light, soon found an aliment for their vigorous growth in the corruption of the age.

The hopes and expectations of Germany, which were but too miserably disappointed in the first peace of Paris, were patiently carried to this Congress; and estimating, no doubt, too highly a few years of passing elevation as opposed to centuries of pitifulness and degeneracy, trod with the language of complaint into the midst of that assembly. Public opinion expected great things from the convocation, which, after the downfal of the universal monarchy, was here assembled to restore and to build up again the ruined fabric of the European republic. It was justly thought, that if Germany, the central fortress of this commonwealth, were not re-established on a strong and durable foundation, every thing like tranquillity and order, peace and equilibrium, was quite out of the question in all times to come. By looking back into history, it was seen that this empire was the only true protection and strong hold of

Christendom, and a bulwark against internal and external foes, when, secure within itself, its active and animated multiplicity was held together under the unity of an emperor.

Hence, from a correct natural instinct, most men were led to the opinion, that the stone which the enemy refused, ought to become the head stone of the corner; that the old idea ought to be revived in the new times, and that, strengthened by the youthful life which the progress of development had called forth, it ought to be born again and renovated. It was thought that an Emperor might again be placed at the head of the empire, with the dignity hereditary in the same family; and that for the protection of freedom under this hereditary sway, and the preservation of the opposition which had risen up, a German King should be placed by his side; that the dukes of the empire, its princes, counts, prelates, and other dignitaries, should be assembled in a Chamber of Peers; that the commons should be assembled in a Second Chamber of the Imperial Parliament; and thus, every member of the whole, limiting and limited, all the dignitaries being made co-ordinate,

no one domineering over the others, and all serving with freedom under the same head, Germany would have received the only constitution permanently adapted to the character and way of thinking of the nation. After this arrangement, Germany would have entered into the community of the European states with the whole weight of its power and dignity, borne aloft by the renewed spirit of its people, and the other affairs of the European Republic might then have been arranged agreeably to the principles of justice, and the common interest of the parties concerned.

But when the darkness, in which that assembly was veiled, began in some measure to clear up, the world perceived with astonishment that there was here no trace of a grand and masterly plan in the groundwork of the transactions; the Uranus of the old age, emasculated by the Saturn of the revolution, wholly ceased to generate, and the omnipotent Jupiter, who precipitated the latter from the throne, had not yet terminated the great conflict. Providence had determined, however, that a feeble semblance of life should not be formed of

the dry and withered substances above, but that the idea should shoot up with luxuriance from the fresh life below. Hence, while the people were carried away by their enthusiasm for freedom and independence, the courts, by no means participating in the intoxication, had prudently secured their separate interests in various treaties; and now, when the business of the Congress commenced, and the two powers who held the fate of Germany in their hands, were more especially called on to act together in concert, and (making themselves sacrifices, and thereby entitling themselves to command sacrifices in return), to proceed with mild earnestness and dignified firmness in settling with the less powerful the affairs of the empire, they were obliged, in order to make good their claims, to seek a foreign aid, and thus Austria and Prussia ranged themselves under English and Russian influence.

There could no longer be any mention of Germany; it had ceased to exist in Europe. Austria seized on Italy, Russia on Poland, and England on the German Coast, from the Elbe to the Downs of Dunkirk; but

Prussia was frustrated in a similar attempt on Saxony, and driven to the Rhine. All the rest now followed as a matter of course; the more feeble soon began, after the example of the more powerful, to renounce the folly of wishing to form a single and entire empire; and when some slight fits of bashfulness, occasioned by the presence of the obstinate and observing age, were once got the better of, all the passions began to display themselves, without reserve, in the old game which they had so often before played. Although the conqueror had previously broken the golden frame of the German imperial crown, and distributed the pieces as decorations among his vassals, the sovereign powers had bound themselves to restore the former state of things, and the congress were by no means entitled to manufacture a new work out of the scattered fragments. The courts, one and all, it is true, excommunicated the great robber of the European society; but they declared his pillage to be lawful prize, and made the state of things to which his acts gave rise, and the *de facto* possession, the foundation of the future arrangements

in the empire, that, in consequence, remained dismembered and annihilated.

And now, in conformity to this principle, they proceeded to divide the booty which they had gained, and the Imperial City was converted into an exchange, where souls were weighed and reckoned like pieces of money, and where the most bitter strife and contention took place in the adjustment of the shares. And when the disputes had proceeded to such length, that the swords began to spring from their scabbards, Providence, enraged at the unholy doings, sent the Man of the Island among them. This individual, on whom eternal justice had already exercised her rights, the man whom the Pope had anointed, to whom all persons had bowed the knee, before whom the world had humbled itself, whom a conceited age had gazed on as its highest organ, and whom, though believing in nothing else, and regarding nothing else, it had adored with the most profound devotion; who, to shame his idolators to the very bottom of their souls, had demonstrated his own nothingness in himself before their astonished eyes; and, after

exercising justice on himself and them, had withdrawn into an ignominious obscurity: this man was once more chosen by the enraged heavenly powers, to fill the overwhelming cup of scorn to the very brim, to become again the scourge of his own slightly improved nation, and to overset the table of the royal Jews.

The nation had already deeply felt the ignominy of those transactions, and in the disheartening consideration of what experience had already produced, and with the presentiment of what was still reserved for them, all classes of the people thought, as the cities of Sicily did, who invited over Pyrrhus the Epirot to assist them in obtaining freedom from the yoke of the Romans, when their deliverer attempted to frame a still more unsupportable yoke for them: in words which Livy has handed down to us, in the 18th Chapter of the 14th Book of the Second Decade, *Irritatis ob hæc animis mussare primum homines, mox palam queri: cur igitur prioris status pœnituisset, si nunc etiam toleranda eadem forent? frustra vocatum receptumque Pyrrhum, si studeat æmulari mores, quos puniturus advenisset. Neque acri-*

orem ullius injuriæ sensum esse quam cujus auctor haberetur idem ille, qui vindex esse debuisset. In the mean time, when the new war began, the former enthusiasm was not yet entirely extinguished, and a secondary note was again struck; a brilliant victory, equalled by few in history, seemed to promise to Germany and its revived national feeling, the re-acquisition of all that had been wrested from it by its enemies for many generations; but, in the second peace of Paris, it reaped the first-fruit of its division, which was now sanctioned, and of the subaltern state to which the most petty selfishness had reduced it; its integrity before the war was not even restored; the few fortresses which were ceded to it, were unequal to the defence of its frontiers; the few pecuniary payments stipulated, could never atone for the general disgrace: conquered France, strengthened by a constitution, came, like all the other powers, more powerful than ever out of this struggle; while conquering Germany remained more powerless and dismembered than it had ever yet been at any former time.

What the Congress, in haste, had agreed

on, was now confirmed, and reduced to something like a system. " The new order of things in Europe, as one of the illustrious participators in a former well-known declaration afterwards formally expressed it, was to be a system of connection of interests, and of the reciprocal relation of duties, the work of the events brought about by Divine Providence. A general union of all, against every description of disturbers of the general tranquillity, was to guarantee the permanency of this system; every other alliance entered into from fear or ambition in opposition to this union, being incompatible with the spirit of the age, would only give rise to a conflict of faithlessness with fidelity to obligations; and the wishes of the nations, and the blessing of heaven, would not allow the result to remain long doubtful. The fulfilment of these views required a certain supremacy of the higher powers over states of the second and third rank, exercised collectively, and according to deliberative forms; but not, however, in such a way as to increase the strength of the more powerful, or to endanger the independence of the more

feeble." This surrogate of an executive power, vested in the hands of the powers of the first rank, was, in the sequel, wholly dissolved at the Congress of Aix-la-Chapelle, and a pure state of negation in the reciprocal relations of the different governments, was all that remained as the foundation of the European union. Instead of concerning themselves with measuring the strength of the powers to be placed in opposition to each other, as in the old system of balance, all idea of counterpoise was now given up, or at least allowed to remain dormant; every thing like interchange of friendly and hostile relations was purposely overlooked; no one state was, by its pretensions or interference, to disturb another in its proceedings, and thus, by mutual abstinence, the cheerful calm of a long peace was to be introduced into the conflicting elements.

As, however, it was felt, that some positive principle ought to serve as the foundation and security of so absolute a negation, the Holy Alliance was entered into. The principles on which this alliance was concluded, were, indeed, such as we must

presuppose all christian princes to be governed by, independently of any compact; but their renewal, and the repeated sanction thereby given to them, was, at all events, commendable enough. Had this alliance gone hand in hand with the restoration of the Empire before the Congress, and the proceedings of the Congress been governed by its principles; had it there, by the first proof of its beneficial influence, gained the confidence of the minds of men, which were then so susceptible of every favourable impression, it might certainly have formed a grand epoch in history, and have introduced a new æra. But coming, as it did, as a sort of expiation and atonement for acts, certainly not very christian, in the irritation which succeeded these acts, it could only give rise to suspicion; and no permanent consolation in the state of depression produced by disappointed hopes, could possibly be derived from it. This Holy Alliance, which occupied the place of the antient Holy Roman Empire, might indeed serve as a guarantee for the mutual religious toleration of the different sects comprehended within it; but the very religious

indifference which rendered this religious guarantee superfluous, deprived the necessary guarantee of the toleration of all political contrarieties in the various members of the alliance, of every thing like a firm foundation, and of every species of security.

If public opinion was in this manner, and by all these measures, but little tranquillised in its apprehensions of a future pregnant with calamity, on the other hand, it could not be denied, that this policy of a vacuum, so very convenient for the complete impotence of public life, (as it at once confidently transfers to futurity all problems, which the present times might despair of being ever able to solve, and refuses to fatigue itself in anticipation with the relations of generations to come,) was certainly natural to an age which, for a period equal to the ordinary life of man, has been exhausted with furious wars and convulsions; and now, more than saturated with them, impatiently longs for repose on any terms, and will not concern itself with the affairs of neighbours, except in cases of the most urgent necessity. Applied to European society, in a period which, according

to a universal law of nature, was inclined to separation, with a fervor equal to the fury of the former endeavour to destroy all distinctions and demarcations, and in which, from the progress of events, the belief in the power and the great influence of human wisdom in the direction of human affairs, was sunk to a very low ebb; if all the previous conditions had been fulfilled, the foundation of an European Republic, at the feet of the unknown God, instead of the universal monarchy which was just overthrown, must have appeared not merely suitable, but the only course that could properly have been taken. But then it would have been previously necessary to extricate the empire from its anarchy, and to restore order to its movements; the central point, with respect to situation, if not made the central point of powers, ought at least to have been in equilibrium with them; as when the supporting point of the balance is itself a balance, the former will be secured from oscillation.

Instead of this, however, the same fundamental principle was also adopted in Germany; this little Europe was to be a little

holy union in the midst of the great union, not guaranteed by its own power, the necessary condition of every secure guarantee, but merely by foreign protection and the collision of interests. As every thing like internal consolidation was wholly rejected, a course was now opened to all these interests. Austrian, Russian, Prussian, Danish, English, and French interests, were to issue from their long peninsulas into this eternally agitated inland-sea, which, formless, faithless, and mutable in itself, was destined to retain, in a state of separation by gentle excitation, what alone possessed a solid consistency, and to hold it together, at the same time, in a feeble bond of union. As, by this institution, the union which public opinion sought was wholly annihilated as a nonentity, it was placed in a state of irreconcileable opposition to the new order of things; and as the object of this new order could only be attained according to the course on which it had entered, by perfidy, subjugation, blood, and war, the constitution was nothing but a suspension of the right of the strongest, a truce proclaimed by the altar for an indefinite period, at the expiration of

which the jaws of the more powerful might again open to swallow up the less powerful, and avarice might again go about like a roaring lion, seeking whom it should devour.

The necessary consequences of these arrangements can only be, that the whole country must be worn out with perpetual preparation in peace, without ever being able to make an effort in actual war; and every part must bear the same excessive burdens as if it was a whole, without obtaining any thing by the most patient perseverance, but an aggravation of the general misery. As no internal cement holds the different parts together to avoid the external disuniting powers, they must necessarily attach themselves to the nearest soliciting interests; every war will, of necessity, be a civil war; the land will be harassed equally by friends and enemies; and, at a peace, generosity will always be practised at its expense, and the same condition of things, so convenient to all, will be carefully restored.

In the mean time, the following panacea received the approbation of the Congress; after various plans had been discussed,

each more silly than another, the Federal art was at last adopted in all its pale and complexionless universality, creating what history had never before witnessed, a council in which not the majority of votes, but the most perfect unanimity should decide. A pure Democracy, of which the *Demos* was composed of courts of the most various sentiments, interests, and degrees of strength; a central force which does not command, but is commanded by the separate parts; an executive power wholly destitute of power, and which, as it cannot act against the refractory, is not in a condition to execute any one thing whatever, as it never can obtain the deficient vote requisite to admit of execution; a legislative power which will never investigate its own competency, and a judicial power which no one is bound to obey, where all acts of authority are constantly sought in an eternal diplomatic agency, and never found: such a constitution, had it succeeded, would have been to the nations a striking proof of the utter inutility of all government, and none but Germans, in whom it is impossible ever

utterly to extinguish the faculty of hoping, would have ever dreamt that any thing beneficial could possibly result from it.

But the daughter could not belie the mother who bore her; the theory of reciprocal apathy and inactivity, applied to the complicated relations of Germany, where circumstances imperiously demand a positive efficacy, a spirited interference, and a well-concerted and intelligent activity, could not fail to produce the most ruinous results. Those principles which prevailed in the first formation of the work, necessarily propagated themselves throughout its progress; and as it was a received maxim with the powers at the Congress, not to consent to the smallest sacrifice for the constituting of Germany, nor to exact any such sacrifice from others who should be unwilling to make it, the courts included in the federal union could find out no ground for their adopting another rule of behaviour, and therefore it necessarily happened, that the federation, according to an apposite expression, fell into as many factions as it had members, who were only unanimous in one thing, namely, their legitimate right of disunion.

Notwithstanding the plausible inaugural dissertation at the opening of the Diet, notwithstanding the number of apposite quotations from Schiller and Montesquieu which resounded from time to time from the table of the assembly, notwithstanding the strained and vigorous movements which, to appearance, were going on internally, but which, however, like a false labour never produced any result as a birth, opinion could entertain but very faint hopes from a work of so feeble and diseased a complexion; and the despondency encreased from day to day, at the aspect of the incessant but fruitless struggle of this shapeless machine to give itself something like form and shape.

At length time brought on the decisive period when a combination of circumstances, which may hardly occur again in an age, produced a scarcity of the primary articles of subsistence, and the governments of the various divisions of the same people, with determined selfishness, boldly shut out, by their restraints, all love of their neighbours; and thus the contrivances of man, concurring with the niggardliness of

nature, produced a half artificial famine. As the Diet was then unable to afford any means of assistance; as it could not afterwards even agree on a half serious declaration that such an evil should not again occur: the whole nation saw, with dismay, what it had to expect from such an order of things, if these impulses of the most cruel selfishness were to be associated with the dread of external force, by which parts of the country might be threatened or occupied; if alluring seduction were to corrupt selfishness, or a crafty diplomacy were to sow the seeds of discord, and a great price were to be set on treason to the country. From this time forward, sentence of condemnation was universally pronounced against the federal constitution by the nation, and Germany now also considered itself completely deceived in its second great and just hope. All that afterwards took place, the fruitlessness of every attempt at efficacious activity, the refusal to come to a decision on the most sacred claims, the termination of the most important, the most urgent, and the most influential transactions in empty forms, endless delays, and petty

machinations of selfishness and obstinacy; the proceedings respecting the liberty of the press, literary piracy, constitutions, definition of competency, the protection of the German navigation, the Elsfleth toll, the previous transactions in the Rhenish Navigation committee (another Diet on a smaller scale), and finally, the duties imposed for the revival of German trade, which, like the serpents in the statue of Laocoon, gradually surround parent and children, and coolly destroy them one after the other: all these things were felt indeed as a deep indignity, but they no longer gave rise to any astonishment, as they flowed naturally from the premises which had been laid down.

The nation, deceived in its most just expectations, and feeling deeply at heart the sting of public insult, was now compelled to turn its views towards constitutions in the several states of the federation, and devoted all its strength, and, in cases of refusal, all its defiance, to the attainment of this last object, from which, at a future period, it might yet hope to regain, in a more solid and satis-

factory manner, all that it had previously lost. The thirteenth article of the federal act, coined at first agreeably to a pretty fair standard, but afterwards daily cut, clipt, and filed down by the arts of dealers in political counterfeits, was at length thrown in its present state into circulation without stamp or impress, and so illegible and defaced, that the attempt was afterwards hazarded to construe its inscription into a mere right of expectation on the part of the people for an indefinite period of time.

Along with it, the King of Prussia had, in the Concessions of the Patent of the 5th April, added the substance to the former edict of the 5th May, 1814, establishing the form of the future representation, and thereby fixed the constitution itself in its most general features.

The commencement of a constitutional undertaking had already been made in one German state, namely, in Wurtemberg. In no other place, perhaps, was the madness of sovereignty carried to a higher pitch, and it was necessary, above all things, that the most decided counterpoise should there be called forth. When the court

perceived from the Congress the movements of the new times, it seemed to it an easy thing to satisfy their loud claims with a little liberal juggling, without deviating a single step from the old path of unlimited arbitrary rule. The power, which despotism had hitherto exercised under despotic forms, wished to place an illusory freedom in these liberal forms, the effluence of its sovereign perfection, as Napoleon did on the 18th Brumaire; and then, instead of being obliged to retrograde, it would have attained the very summit of arbitrary power, deridingly commanding, in cabinet orders, the existence of what it chose to dignify with the name of freedom. Thus the first constitution of Wurtemberg was commanded, and the assembly of the states was summoned.

But there still lived in that land too many men who had at least seen the last rays of departing freedom, and in them an opposition developed itself quite naturally. They made a determined appeal to their antient rights, and wholly denied that the usurpation, and all that grew out of it, could be considered as the foundation

of right, entrenched themselves behind the old constitution on the firm ground of history and record, and from thence loudly accused the usurping power of a violation of oaths in the face of the world. To such a united mass of light, right, power, and firmness, it was impossible to make head from the position of an ill-consolidated power, whose arm was crushed by the overthrow of the supreme head from which it had been derived; and after the useless struggle had lasted for a time, the court saw itself under the necessity of proposing the well-known twelve articles, in which a sincere freedom at least was commanded.

The conflict after this was confined entirely to matter of form, when the person of the ruler changed, and the successor, who possessed the usurped authority, not as an acquisition of his own, but as an inheritance merely, inspired greater confidence. The twelve articles were embodied in a constitution, which was laid before the States. But in the heat of the long struggle, passions of a personal nature were excited, from which the suspicion that had once found an entrance into men's minds, con-

tinued to derive fresh nourishment. The States were distrustful of a work, the foundation of which was laid in the favour and good-will, in their nature necessarily mutable, of the ruler, and demanded that it should rest on the ground of their antient rights, records, and traditions; that by being rooted in this manner, it might have the sanction of the whole of the period which was past, and thus possess a greater degree of legitimacy than the ruling family itself. The court, conscious this time of its good intentions, was irritated at an opposition which, as it was directed against so much of what, even by the confession of the adverse party themselves, was good and beneficial, seemed altogether irrational to it. The States, on the other hand, in the consciousness of their valid historical right, which was necessarily stronger than any effervescence of the present time, however well-intentioned, were on their part in no manner inclined to give way, being justly of opinion, that even the favour of the moment ought to be declined, when purchased at the expense of the whole of their past privileges, and that

what a people already possessed as their native rights, ought to be considered as the stem on which every additional security should be engrafted.

In the conflict which now arose, the party which stood out for chartered rights was joined, as usually happens in similar cases, by that bigotted and petty obstinacy which is incapable of discriminating between principal and secondary objects, by that narrow and limited range of intellect which cannot distinguish what is essential from what is merely accessory, by that short-sightedness which cannot raise its view beyond its accustomed circle, and that spirit of litigation and pedantry which would superstitiously adhere to what is wholly unsubstantial and useless. On the other hand, the advocates of the present times defended not merely what is praiseworthy in them, but also the abuses peculiar to them; that arrogant trampling on things, situations, connections, and relations; that fantastical reduction of every thing specific to general abstractions; and that self-conceit which imagines, that with such unsubstantial shadows it can command the whole fulness

of what is peculiar in all things; and that levity, in short, which, from the facility with which such airy figures can be created and disposed of, would keep every thing in a perpetual state of restlessness and change, so that no one thing can ever gain a secure balance or a firm footing.

In this warfare of parties, the cause which lay between them could not fail to be a sufferer; and things came to a crisis, when the king, accustomed as a general to rapidity of execution, but forgetting the old military maxim of building a golden bridge for a flying enemy, adopted the resolution of fixing a definite period of eight days for the acceptance or rejection of the proposed constitution, and thus left no choice to the assembly of the Estates. The Estates, convinced that a constitution could only be properly established in a constitutional manner, by agreement, and that a *commanded* freedom which should, in reality, begin with an act of slavery, could afford little security for its durability, like an able minister who afforded the first example in Germany of defending his opinions and views in a becoming manner by personal

dexterity, but who has neglected to resign at the proper moment, rejected for a second time the constitution attempted to be imposed on them by a great majority of votes, which they were enabled to do, as the commons prudently avoided all controversies with the nobles as to future pretensions, but carried on in concert with them the war against the court.

When the champions of unlimited power triumphed at this result, they evinced a short-sightedness which was almost without a parallel. The rejection of two successive constitutions, the one on account of its substance, the other principally on account of matters of form; the appeal of a court from the Estates to the primary assemblies, and, as the result soon demonstrated, the fruitless appeal; the utmost unanimity of sentiment among all who were interested in this work: all these were a certain indication, that the thread of the negotiations which had been snapped, must sooner or later be again joined, and consequently they were by no means signs at which tyranny ought to rejoice. They proved the degree of security and con-

fidence which the cause of the people had already acquired; they proved what power and might there must be in the circumstances of the times, when such advantageous offers could be rejected without danger; and they afforded a great and striking example in the centre of Germany, at once monitory and instructive of the mode in which the great litigation between superannuated power and imprescriptable privileges must be carried on. Here then had been demonstrated, on a small scale, what history every where teaches us on a great; that whenever affairs are pushed to an extreme, an opposition begins always in secret to form itself, which grows up at first silently, and strengthens itself in concealment; and when power or insolence conceives itself to be on the point of attaining its long wished-for aim, it advances like an armed force against the astonished adversary, and drives him from his position far beyond the point from which he originally advanced.

In the centuries in which usurpation, pursuing its interests with a blind selfishness, neglected every other object, the

power, which we usually call public opinion, had formed itself from small beginnings, and opposed itself to the violence, the devouring, and never-to-be-satiated covetousness, the inanity and moral degradation of courts. When the revolution burst into European society with the fury of a whirlwind to meet this force, an opposing force was soon matured; and when the Commons—at first ordered out against their demagogical half, then as involuntarily united with their despotic half, driven to death in all directions, and subservient always to the caprice of arbitrary power and the vilest interest—had, at length, in the general rising, completed as the conscious and animated agents of a higher might, what the elements, the blind instruments of Providence, began: they became then fully alive to the feeling of their strength, and public opinion had become a power, which did not indeed sit at the Congress, but which forced from it terms of peace, and the concessions of the 13th article. This was the first time in which it had had a seat and a voice in any regular proceedings for the recovery of its old

rights. The specimen was sufficient to show the force which it had gained, and it now cast a dark and furious look to what was going on in the mean time in the north of Germany.

There Prussia, which to the edification of Germany, seemed to have acted hitherto on the principles of her *Anti-Macchiavel* *, seemed to be now earnestly employed in an examination of the *Principe* of the daring Florentine, to cull from it those principles which might in some sort be found compatible with a good-natured sincerity. Two parties, which are spread over all Germany, the advocates of the Old Antediluvian state of things, forming the great majority in Prussia, and those of the New Napoleon state of things, differing less, however, in interests and principles from each other here than they do elsewhere, as every thing has throughout Prussia been rendered subservient to military government, had united towards the end of the war, in order,

* A Refutation of *The Prince* of Macchiavel, by Frederick II. of Prussia. *Trans.*

by a re-action, to expel the ideas equally odious to both, which forced their way to them, and incommoded them in their operations.

We will not be so unjust as to condemn both the elements of this coalition, often united in the same person as equally impure and equally deserving of reprobation. Of all the divisions of Germany, Prussia alone has, in late times, had a history, and given a great man to the age. The laurel twined round his brows, was not indeed a civic crown; and the blood of kindred people, part of his own nation, stained his sword; but he was not the first that had shed such blood, and what his bold and powerful arm cut down was before-hand rotten and worm-eaten, and threatened a speedy downfal. He has been reproached, and not unjustly, with introducing foreign manners, ideas, sentiments, and maxims of a poisonous nature; but it ought not to be forgotten, that those which he found existing were stupid, limited, petty, and pedantic to an insupportable degree; and that, though what he introduced may now appear to a more

matured age, in the light of frivolousness, it was then countenanced by ingenious men, and must, at the time, have appeared as a very bold and praiseworthy emancipation. It is true, no doubt, that rendering all relations subordinate to his objects, he introduced into all public affairs that destructive mechanism, which still, like an incurable lameness, holds Prussia enthralled in a state of internal torpidity; but it was not his fault if succeeding times had not sufficient discernment to know what would be beneficial to them, and superstitiously honoured the empty husks from which his spirit had already extracted every thing valuable, and preserved them as the palladium of their salvation.

That affection should offer up her sacrifice to the manes of the departed, was what could not be objected to; and it was just, that what was really good and useful in the legacy of former times, should not be abandoned with levity merely to please a senseless spirit of innovation; but then it ought not to have been forgotten, that Prussia, by the accession of so many elements of the

utmost diversity, was no longer the same; that the times became every day more and more unlike what tlley once where; and, above all, that the most definite and incontrovertible rights which could not be set aside, and the clearest and most unambiguous promises had been interposed between the state of things which once existed, and that which was now called for.

However, the example of Spain was at that time but too seductive for the depositaries of power. The old state of things had there been re-introduced with so much ease along a spacious road, the innovations had there been expelled with so much facility from the country, the people had come back with such apparent willingness to their former relations, that a victory, gained at so trifling an expense, and attended witlr such advantageous results, could hardly fail to inspire other governments with a feeling of emulation. The same attempt, it is true, had already been made in France; but it failed so completely, that though the result in form was the same as in Spain, it was, in effect, directly the reverse, for the attempt terminated with

the complete expulsion of the minority. So prone, however, are we to confide in our own good fortune, that every one thinks it is reserved for himself, by more dextrous management, to succeed in an object in which others have already failed; and, indeed, even in France itself, in which the experiment had been first tried, the belief in the possibility of future success was by no means extinguished. After the allied powers had carefully collected together and replaced all that was dispersed in the explosion, the parties reinstated conceived they had merely erred, through a weak and excessive spirit of yieldingness, and thus the thread which had been snapt was again joined, and merely spun more coarsely; till at length, as is now the case with us, resistance and friction became so strong as to demand the whole power of the state, and government, with its over-well meaning friends, was reduced to a complete stand.

It was wished, but could scarcely be hoped, that Prussia would spare itself the mortification of a similar attempt. For a considerable time there had existed a secret union called the Union of Virtue (*Tugend-*

bund), entered into, as was pretended, for the purpose of striving with united powers for the attainment of freedom, without infringing on the fidelity due to the legitimate princes, and of defending individuals and the nation from every species of thraldom, but more especially thraldom to a foreign power. This Union was said to consist of various degrees distinguished from each other by signs, attributes, duties, and rights; all the members were bound by the most sacred oaths to the society and its objects, and, without knowing any thing of the operation of others, were subject only to their superior, as the latter again was to the grand-master, from which superior they received all orders and commissions, and having once, after a free deliberation, undertaken to execute them, they were bound to proceed with blind and implicit confidence, abstaining from all enquiry into grounds and motives; all the secrets of the Union were to be kept with the most inviolable fidelity, under the pain of death; the members were to be equally inaccessible to the influence of fear and hope, and no human force was to have power to

protect the guilty traitor from the vengeance of the society.

During the period in which the country was suffering from the oppression of the enemy, such plans may, perhaps, have entered into the heads of individuals, and the experiment may even have been made of attempting to carry them into execution. Availing themselves of an old artifice, in which an insufficiency of means is concealed, by connecting the measures exhibited in perspective with a supposed secret in the back ground, and thus influencing the mind by a belief in the presence of a dark and unlimited agency, the more powerful may then have impressed the more weak with a belief in the existence of a completely organised society of this description, that through the influence of fear, and the charm of such an optical illusion, they might be able to awaken them from their cowardly torpor, and stimulate them to energy against the French. Men of a weak character were pleased, at that time, with the idea of such an invisible assistance; the enemy was kept in a state of alarm by the stories respecting it, which

continually reached him; and the government itself seemed far from displeased that such a belief should gain ground, and even affected to participate in it. But now, when it was thought the suitable moment had arrived, this union was brought up for the purpose of being employed as a weapon against the inventors themselves. Suspicion seems inseparable from the condition of princes, one of those evils which are allotted to them in the order of things, as a sort of compensation to other mortals for the many advantages possessed by their rulers. "It is a miserable state of mind," says Bacon, "to have few things to desire, and many things to fear; and yet that commonly is the case of kings, who, being at the highest, want matter of desire, which makes their minds more languishing; and have many representations of perils and shadows, which make their minds the less clear. And this is one reason also of that effect which the scripture speaketh of, *that the king's heart is inscrutable.* For multitude of jealousies, and lack of some predominant desire, that should marshal and put in order all the rest, maketh any man's

heart hard to find or sound." For this reason, courts will always be a theatre for similar machinations.

Immediately after the second peace of Paris, a manuscript report, or memorial of twenty-one sheets, with the title of "What have we to Fear or to Hope from Secret Political Assóciations in Germany?" was presented to the King by a person who filled an office of consideration. In this work the *Tugendbund* was exhibited as pregnant with the utmost danger. It was observed, that many men of the greatest consequence in the state were directly or indirectly implicated in it; and though it had hardly contributed any thing to the salvation of the monarchy, it now threatened its tranquillity, and even existence, by the most alarming intrigues. During the war, this union had been the means of throwing a number of dangerous ideas into circulation; through concessions of various kinds, wrung from the misfortunes and necessities of the government, a spirit of boldness had in consequence begun to raise its head aloft, and notions had found their way into the minds of the people to which

hitherto they had been strangers. Prussia, it was said, being necessarily a military state, was, on that account, essentially monarchical, and the admixture of liberal ideas, as it would disturb the purity of the monarchy, must also essentially endanger the existence and safety of the State. The means for making head against this evil were then pointed out. The hopes which were entertained, and of which every thing like sound policy forbad the fulfilment, ought, it was said, to be radically destroyed; the men who had become dangerous from their popularity ought to be gradually removed; the statesmen employed in distant diplomatic missions, the generals, dexterously laid aside, and the subordinate participators at once deprived of all influence. Every thing, in short, was conceived in the spirit of that crafty and artful policy which finds an entrance into the minds of the children of the age when God wishes to bring their pride and self-conceit to shame. *

* To give an example of the levity with which people of this description proceed on such occasions, and as a warning which may not be without its use during the

The King, whose indignation had been dexterously excited against certain men

present rumours of conspiracy, I shall here cite a passage from the last page but one of that report, where the author undertakes to answer the question, "Who can be received into the King's party?" The passage is as follows: "The members of the *Tugendbund* receive all persons possessed of talents and influence without regard to their moral qualities. Were not this the case, they could never have contaminated themselves by the admission of a Reisach, a Grüner, and a Görres. The first of these made his escape from Bavaria as a criminal; the second violated his word of honour in 1812, and placed the state to which he was pledged in the greatest danger, married the mistress of a Frenchman, &c. &c. Görres was a French agent down to 1813, and in those days wrote in the spirit of the Jacobins, as he now writes in the spirit of the members of this society." Mr. v. B. has been named to me as the person who, from his sentiments, views, and his former situation, was, in all probability, the author of this report. I shall write his name at full length when I have obtained certainty as to this point; at present I shall merely content myself with proclaiming the author, whoever he may be, a dishonourable and worthless liar, not on account of what he has said of me, as I conceive my honour is not dependant on the idle and impertinent scandal of cabinets and courtiers, but on an account of an irreproachable lady, whose name, for the sake of the affair, I have been obliged to mention, and to whom the opinions of the people of Coblentz, under whose eyes she grew up, will afford the best satisfaction for the attacks of her calumniators.

and certain opinions, started back with affright from the abyss now pointed out to him as opened at his feet, and the party proclaimed their views, as far as they were communicable to the public, in the well-known work of Schmalz. The manner in which this work was received in Prussia, and indeed throughout all Germany, might have taught the party, on their very first attempt, the hour which had now struck; a general and undivided irritation had the effect of bringing public opinion immediately under arms; never was the superiority of truth, energy and talent, over malicious and cowardly wickedness, more decidedly evinced; never was there a more complete and humiliating defeat; and the party, beaten in every one of their attempts, confounded at the unexpected resistance, and not being withal blessed with an excess of courage, in the impossibility of allaying the movement which they had so incautiously and so wantonly called forth, in any other manner than by an act of power, fled for refuge behind the throne, and the King commanded that the affair should no more be talked of: a step as

unworthy of Majesty, which ought never to connect itself with party, as it was insulting to the nation, to which the right of expressing its sentiments with freedom on public affairs can in no case be refused, but least of all in cases of public accusation.

The impression which these offensive proceedings produced on the minds of the whole nation could not easily be mistaken. The grave accusation, as justice demanded, was gravely received, and when the charge of treason, to the disgrace of its originators, ended in vapour and smoke, and the whole tissue was quickly seen through in all its coarseness, the nation could perceive nothing but the most insolent ingratitude in every quarter, and, in this unsuccessful attempt, the introduction only to a return of the old and odious abuses. From this unlucky moment suspicion took the alarm, and began with an inquisitive eye to watch the conduct of the government, for the purpose of obtaining a full and complete certainty.

The proceedings which immediately followed, soon, alas, proved, that the party was indeed silent, but had not the more on

that account renounced their plots and intrigues. On the contrary, all that was recommended in the memorial, seemed to be advancing step by step towards a complete execution. A general, high in the public estimation (Gneisenau), was removed from his command, and the whole pack of those hounds which, since the time of Napoleon had been starving at their chains, were let loose at him in the journals, and particularly in the *Allgemeine Zeitung*. In their howling, nothing was to be heard but Wallenstein, and the Seni and Piccolomini *, whom they had also discovered; and nothing was wanting but the halberd † to complete the infamous spectacle which they exhibited before the eyes of indignant Germany. At the same time, the prelude to the shameful deductions which have since become but too familiar to the public, began to be acted in these journals, namely, that the King was not

* Characters in a well-known Tragedy of Schiller. *Trans.*

† Alluding to the manner of Wallenstein's death. *Trans.*

bound to keep his promise, and therefore might either give no constitution, or one altogether illusory, as he pleased. These articles, which, assuming an official air, have now been continued for nearly four years, and are of an insulting, dishonourable, hollow, and worthless character, have contributed, more than seems to be supposed, to embitter and inflame the minds of men; but the government, as it would appear, could never discover their treasonable turpitude, or at least has never till this hour made the least allusion to them, even in the State Gazette.

As the organisation of the Rhenish provinces, which were pourtrayed in these accounts as the focus of revolutionary intrigues excited by ambitious Proconsuls, happened to take place at this time, it seemed a matter of the greatest importance to apply the principles in question immediately to them, and to extinguish these dangerous flames with the least possible delay. The work was completed in the haughty and insolent manner for which so marked a preference was now shown. All the rights and privileges of the natives

were trodden under foot; all sorts of interests were injured; the most sophistical expositions were resorted to, in order to avoid the performance of promises; even the proposals of the commissioners themselves were not adhered to; and every thing was arranged off hand according to the will and pleasure of two ministries wholly unacquainted with the relations of these provinces. Irritated by previous proceedings, disquieted by the general distrust so recently allayed which had again taken root, these provinces were prepared for this treatment from the government; and as the government now acted precisely as it had done in Poland, it seemed to them that *Old* Prussia was come again, and they conceived themselves on that account well warranted in resuming the old hatred. When the first violation of solemn promises followed, every thing else was expected as a matter of course. Confidence was lost, public opinion, which had hitherto remained off its guard, now stept forward armed at all points for resistance, and since that moment a spirit of opposition and defiance has existed which no subsequent

conciliation will be able to allay. The government forgot, at the most unfortunate of all conjunctures, the advice of the Roman Consuls in the affair of the Aricini and Ardeates, whose territories the Romans wished to seize; *famæ quidem ac fidei damna majora esse quam quæ æstimari possent.*

In the rest of the north of Germany, the situation of things was not such as to promise results and prospects of a much more consolatory nature. In the Cimbrian Peninsula, in Holstein and Lauenburg, a commission, chosen from the prelates, knights, towns, and jurisdictions, met in 1816, to deliberate on the plan of a constitution communicated by the court; and the deliberation, notwithstanding the most praiseworthy spirit of accommodation displayed by the higher orders, has not up to this hour been conducted to the expected termination. The court refused to comply with the just demand to extend the new constitution to Schleswig, and at the same time stated, that it was not disposed to do one whit more than the stipulations of treaties demanded; and as it would only

concede a deliberative vote to the estates, it evinced that it had also arbitrarily interpreted those treaties in the manner most favourable to uncontrouled power.

In the two halves of the country of Mecklenburg, where fortune has been so unequal in her distributions, where an order of things developed in former centuries has continued almost untouched to this day, where a powerful nobility have divided the country into plantations among one another, on which the peasant serves as a slave, and where the free middle class has not yet obtained sufficient power to enforce the claims to which the times entitle it; from the nature of things the impression of the age could not be very perceptible. Hence, when the oaths to the government were taken, the old state of things, with respect to laws and rights, was there confirmed merely by a grasp of the hand; and an organic political-law of the two ruling houses regulated the manner in which the disputes of the Estates with the government were to be settled, now that there was no longer any judicial supremacy in conse-

quence of the dissolution of the empire.* The only opposition which was made to this new arrangement of affairs, as it rested on no historical foundation, but merely on the basis of general ideas, could hardly fail to end in airy nothing, as all attempts at universal equalisation usually do; and the proposition of one of the members of the state, to transform at once all those who enjoyed the protection of the state into members of the state, who should exercise their rights either in an immediate assembly of the people or by delegation, and, more particularly, to abolish the two institutions, which, connected as they are with each other, must stand or fall together; that of an hereditary nobility, which rises to an undue height above the middle

* By the constitutions of the Empire, an appeal lay to the highest imperial tribunals from the superior tribunals of the several states, except such as had an unlimited *privilegium de non appellando*. Mecklenburg, by Art. XV. of the peace of Teschen, was promised this privilege; but it could not be granted, as the two Dukes and their subjects could not come to an agreement respecting the courts which should supply the place of the imperial tribunals. *Trans.*

class, and that of a predial slavery which sinks as far below it, was not altogether unjustly, though rather in language somewhat two high flown, rejected as a piece of arrogance and presumption.

In the kingdom of Saxony, the old constitution of the Estates had been again introduced; that rotten, complicated, cumbrous, patchwork of the last centuries, which, without plan and comprehension, without either greatness of conception, or even practical fitness, destitute for the most part of every thing like an instinctive and plastic tendency to improvement, and merely calculated to provide for the next emergency, had been incessantly placing rag over rag, and heaping mass on mass. Such a mode of representation was only too much calculated to give a government the power of excluding every thing like progressive improvement, under the pretence of exercising a necessary circumspection. The representation of the yeomanry, such an improvement of the constitutions of towns as should render their deputies their real representatives, an admission of the possessors of estates incapable of sitting in

the Diet, were all out of the question; and even the assembling of the smaller and larger committee of the equestrian order was refused. The government would only admit the estates to the right of a deliberative vote, and denied their competency to submit any effective propositions, or even to vote on the measures submitted to them. The diminution of the standing army, solicited by the Estates, was rejected as impracticable; the production of all information respecting the different branches of the public expenditure and income was refused, because it was said, the king, during his fifty years' government, had never demanded more than the necessities of the state required; but the donations granted by them were thankfully received.

In Hanover, in like manner, the new and unruly spirit of the times had not yet been in action a sufficient length of time to break up, along with the old manners, the tracks and paths of the mighty aristocracy of that country, and they soon succeeded in taking possession of the whole circle of powers which they formerly filled. The return of the aristocracy to authority and influence

was accompanied by the return of the old government, which possessed a kindred spirit. This government was regular, equitable, and well-intentioned, but at the same time heavy, helpless, and punctilious to excess. It could not so much be said to resist the claims of the age, as (what is, still a great deal worse) to be wholly ignorant of them, like its own university, which, with a high air of beggarly pride, affects an ignorance of the new spirit that has shed its refreshing influence on science, as if what we have not taken any notice of were wholly extinguished and renounced by the world. An assembly of estates which withdrew itself from publicity, in which the various elements were bound together in a species of satiety, and a *vis inertiæ* alone prevailed, was little calculated to convert an essentially oscillatory into a progressive movement, and to infuse spirit into the stagnant life of this people, who, accustomed in so many things to a slavish imitation of the ruling islanders, cannot, however, adopt their activity. Yet, impelled by that spirit to which no one, however refractory, can ever be wholly insensible,

many a salutary and praiseworthy object was promoted; an economical administration of the ecclesiastical possessions still remaining, and a conscientious application of them to the wants of the church and the advancement of education; the abolition of exemptions from taxation, a measure no doubt tending solely to benefit the public treasury, as the rate of taxation was not thereby in any degree lowered; an equalisation as far as possible of the various parts of the country with respect to land-tax; the allowing a diet for the seven lordships of East Friesland, and the restoration of the magistrates in the principal towns of that province; the abolition of the torture and the oath of purification; the deliberating on a proposition for the introduction of juries;—all these proceedings, though defective wherever practical dexterity and ability were requisite for their execution, and wherever extent of view and clearness of conception were necessary in their plan, are still entitled to thanks as a praiseworthy commencement.

In Hesse, to the advantages to be derived from a return to the old state of things, were, at an early period, associated

the disadvantages which follow in the train of an unfortunate predilection for the antiquated; disadvantages which were still farther augmented by an excessive passion for heaping up money. Hence, with the old appearance of the army, now become ludicrous, the old and odious starvation system had also returned. Hence, too, all the negotiations entered into with the Estates became abortive whenever an attempt was made to separate the property of the State from the private property of the Prince. The dispute which now arose revived all the odious recollections of former times in the minds of the people. A constitution was then offered for sale for a certain sum of money; and when the purchase did not take place, nothing more was heard of the fulfilment of the 13th article. This sort of chaffering was not indeed unheard of in former times; but it by no means belonged to that part of the practices of former times which ought to have been revived. Hence the disputes with the purchasers of domains were more dexterously adjusted in Brunswick and Hanover than here, where, with the most obstinate harshness, justice and

injustice were confounded together, and new laws were issued by the ruler to his own courts for their guidance in particular cases where he himself was a party. This disgraceful proceeding, the subject of universal reprobation, placed the impotence of the Germanic constitution in the most unequivocal light; and the effects of the indignation, to which it gave rise, will with difficulty be removed by a general law of the diet applicable to similar cases in time to come. Hence, too, all the crying abuses in the judicial and other departments remained untouched. Hesse continued quite stationary, separated, as it were, from the community of the nation, and seemed, by its conduct, to justify the reproach to which it was deemed more obnoxious than any other state, of taking little or no interest in public affairs.

This course which affairs had taken in the North of Germany, was ill calculated to tranquillise public opinion, which longs for vigorous and popular institutions, for the security of the present and future times, and an active and animating public spirit diffused throughout the whole nation. Re-

posé, and a quiet apartment, are, no doubt, more especially necessary for the present times, which have been almost exhausted with unceasing restlessness; but the repose which they need is not the repose of indolence, but that firm and sustained equability which does not wear itself out with pure bustle, but proceeds with steadiness and certainty to the accomplishment of its objects with the least expense of exertion. Germany can never be benefited by a return to that lazy, lame, and stupid state of things that prevailed anterior to the movements of latter times, where public life, without hill and dale, resembled a flat and dreary heath, on which pen-folds were erected for the various civil communities.

Such fearful storms have not passed over Europe, that while the thunder-clouds are still rolling in the distant horizon, we should again collect and put together the fragments of the kingdom of mediocrity shattered by the storm, in which all energy was a dissonance, all talent a dangerous power, every idea was considered a plague, and every thing like elevation of purpose and enthusiasm was treated as perilous in-

sanity. That ossification which held all the noble and vital parts in a state of torpid inactivity, will not again be considered by us as health; nor the obliteration of every vestige of an idea of representation, and constitutional laws, be any more considered as an advancement in the career of humanity, and a way of thinking befitting a citizen of the world.

The common-place routine, unacquainted with every thing like extension of view, and which cannot even form a conception of what is great or elevated; which, without dignity in action, gives itself up to all that is confined and petty, and which, from an inability of seeing in any thing the relation between cause and effect, is perplexed by the most usual occurrences, and hurried on to acts of precipitancy, will no longer do for us. The work of the times cannot be furthered by that stiff and unwieldy pedantry, which, in every thing, would observe the most rigid method, and therefore on every unforeseen occurrence, and on all important concerns where rules treacherously leave their slaves in the lurch, is totally without presence of mind and without resources. That

spirit which has descended to wrestle with us, if we still continue to conduct ourselves in the struggle like so many lame invalids, instead of strengthening us for the coming time, will throw us down with shame and disgrace, and then, laughing us to scorn, leave us to our fate.

The persons of whom history is now in want, are not smooth, superficial, and worn-out courtiers who pursue unmeaning insignificancy as a study, and inanity as a trade; nor ministers who can only seat themselves at the end of a long row of clerks, and then display a mastery of the letters of the alphabet, but who know nothing of the world or life; nor generals who hold the scabbard higher than the sword, and who esteem the appearing to advantage in a court drawing-room as the highest blessing on earth; nor men in office, and soldiers, whose whole vigour evaporates in empty show. Efficient, active, and experienced men are wanted, in whom there is spirit and life, who are ready to pay the claims of the times with their persons, and who esteem forms according to their worth, but disdain to be slaves to

them; men who can courageously bestride the rapid courser, and govern its wild impetuosity.

It is, no doubt, one of the problems of the times to restore tranquillity and comfort to the mass, as the secure foundation of the future public life; but the lukewarm indifference, the unsympathising carelessness, the superficial triviality of sentiment, the miserable insipidity of a former period must not again return on us; and least of all will we consent to take for our model the cobbling and bolstering-up system of the times that preceded the last, which crawled on without ideas and elevation of purpose, and, without vigour or dignity, guided only at best by a sort of obtuse notion of justice. That cabinet-despotism which had its origin in Italy, but was practised in France to a greater extent than in any other country, and which was transplanted from thence to Germany in the period in question, can by no means supply, with us, the place of a regulated will, free because it yields obedience to the law, and strong because it keeps within its just boundaries. The financial delusions which have been the

ruin of Europe, will never be improved and transformed into liberal institutions by remission; it is only by additional exaction that the balance can be restored. Neither is avarice, though it usually clings to age, on that account a venerable idea and a dignified principle of government. Moreover, an order of things in which duties and rights are not apportioned to individuals with an equal measure in the same institutions, and do not reciprocally modify each other in their rising and falling, but would rather seem to be divided and to be allotted separately to different bearers, will no longer be able to maintain itself; nor can an obsolete personal servitude any further be suffered to exist, when free and intelligent consent comes voluntarily forward to relieve it from its burden. The age did not long for the return of the old, merely that it should be forced on it in all its corruption, when advantageous to arbitrary power and sinister interests, as was, for the most part, the case in the North; but that it should be withheld from it where it would be able to restrain both, as was the case in Wurtemberg, for instance. The charm of

the wicked spell which came from abroad, and held all the power of Germany fast bound, has now lost its virtue; and that country is determined to have no longer any part in the blessing of Issachar the son of Jacob, and to be as an ass under burdens.

If the state of the North led the nation to considerations like these, the condition of the South could not fail to awake other considerations of an opposite description. This portion of the empire had, for a considerable length of time, formed a part of France; the Rhenish provinces having been united with it even in the earlier democratic times of the Revolution, and the States on the right bank having been reduced to a condition of vassalship to it by the confederation of the Rhine at a more recent period, and forced to take part in all its wars and operations. While, therefore, in the Rhenish provinces united with France, democratic ideas had very extensively diffused themselves amongst the third estate, and whilst a spirit of free independence had sprung up in that quarter, in the States of the Confederation, the courts

alone were active, and transplanted the Revolution, in the form which it then possessed, into Germany.

This Revolution was a great judgment of God, held in that land in order to punish first it, and then the rest of the world, for the shame and transgressions of many years, and at last to extinguish the blood-guiltiness * which, augmented by interest and the accessions of ages, advanced with a fearful growth from generation to generation; in the same manner as Providence called forth the Reformation to sit in judgment on and to punish the fall of ancient discipline within and without the church, the torpor which had seized the higher spiritual life, the universal hypocrisy, selfishness, and callousness, and the obstinate

---

* *Blut-schuld* in the original. This word occurs frequently in Luther's translation of the Bible. In the corresponding passages of our translation, the word *blood-guiltiness* is used as "Deliver me from *blood-guiltiness*, O God." (Psalm li. 14.) *Adelung* defines *Blut-schuld* the crime of shedding innocent blood, which seems the meaning in the above passage of the Psalms; but the definition of *Frisch*, — *Sceleris, quod sanguinis effusione puniendum*, is evidently the sense in which it is used in the text. *Trans.*

stupidity with which empty formulæ were adhered to after their life was fled.

The courts of the North, in those days, were at first impelled by the popular movement, but afterwards taking a part in it, they contrived to master it; and when the devil, on being driven from affirmation, laughing the world to scorn, took refuge in negation, what began with the purification of the church, ended with its shameful spoliation throughout the whole of protestant Europe, and the grand idea of ecclesiastical dominion, internally hollowed by selfish ambition, and dissolved in luxurious laziness, was, in this insurrection, destroyed by the same degree of selfishness in the re-action; and thus the triple crown of the Pope was either divided among the Princes as spiritual sovereigns, or seized by the spiritual aristocracy, or even shared by the various congregations themselves. The very same thing happened now. The courts of the West, with the Revolution in their rear, having entered into an alliance with the most unlimited despotism, the plunder of the other half of the church which had yet escaped the Reformation, the oppression

and devouring of all the weaker members of the empire, the abolition and destruction of all the old rights, customs, and recollections of the people, and the complete annihilation of the German empire, the other idea of the middle ages, were the necessary consequences of this alliance.

In the presumption and emergencies of such a period, a class of statesmen had been formed of a description quite different from the majority of those in the North, who consisted either of the remains of the age which preceded the great convulsion, or of men who have since been educated in their principles. The statesmen of the latter description are the slaves of custom, acknowledge only what already exists, and entertain the deepest aversion for every innovation; the former, again, neither acknowledge nor esteem any thing present or past, and hate all that is positive as an obstacle in the way of their restless activity. Whilst the one set of men dare not venture even to touch any thing that has been handed down to them, and dragging after them the dead body of what perished from age till it is overtaken by corruption, plod on, like

slaves on the estate to which they were attached, in a bolder and more enterprising period; the others consider every thing that has been as lapsed and forfeited to death, and themselves as lords of the present and tyrants of the future. Children of the day which brought them forth, denying the authority of all that formerly was, they still entertain the hope that their commands will be listened to by a coming age, to which they in turn will have been a past, and which to morrow may annihilate their labours with as much justice as they annihilated the labours of yesterday. Exercising the most unlimited controul over every thing existing, by which the other class are controlled, in their restless activity, they mix and confound all things together. With the rapidity with which one thought succeeds another in the human breast, they endeavour to remodel their world. In the pruriency of their lust of change, they convert first one peculiarity and then another into some mis-shapen figure, which, when the whim seizes them, they again, without hesitation, dash into a thousand pieces to make way for another

creation of their desires. Restless, as if possessed by the evil spirit, they drive and hunt men and things up and down, and through and through each other, so that no one thing can have time to take root. As they have not even a conception of the still, quiet, and easy way in which nature unfolds her works, their impatience has recourse to mechanism, and the state becomes in their hands a great steam-engine, in which they themselves ascend and descend as a hot vapour, impelling, with deafening noise, an immense lever, at once serving to put in motion works for the coining of money, for raising of water, for hammering, spinning, and writing, and, at last, producing another machine like itself. In this mechanism, in which every thing becomes lines and numbers, all the lines must terminate in one central point, and all the numbers must form one unit, that arbitrary power may, from the centre, calculate and control the different movements at pleasure, and no human or municipal relations may presume to assert an opposing and destructive independence. Every thing is violently sacrificed to the

idea which happens to have the ascendancy for the time. Nothing has so firm a foundation that the whirlwind of their rage for organization cannot at last blow it down. Every thing great which has struck a deep root in time, and which, tranquil and secure within itself, does not give way at the precise moment they wish it to do so, appears punishable and rebellious in their eyes; and they avail themseves of all the elements to blow up and destroy it, that nothing may remain but the gigantic work which has been painted in perspective by them. As neither truth, love, custom, habit, piety, nor aught that agitates the human breast, is necessary for their work,—as an understanding, clear and transparent as water arranges and disposes every thing, they can proceed unrelentingly in their course through all human relations, and pawns, bishops, rooks, and knights, are moved at pleasure from one end of their chess-board to another. Their constitutions are not social unions entered into by independent men for mutual protection and liberation; they are books, of which the leaves, formed of substances once pos-

sessed of vegetable life, afterwards worn to rags, next decomposed, and finally recast in the shape of paper, have been written over with their ordinary thoughts, and then numbered and bound up with gilt edges, and when the edition is disposed of make their re-appearance in a new edition. Hence all their labours are without a blessing, as they build only on self-conceit. Every succeeding day destroys what the preceding day brought forth. Like Saturn they are perpetually obliged to devour their own children, till, at length, the enraged mother presents them with the stone, and rears the avenger. Being, generally speaking, men of energy, determination, intellect, and talents, they might have been the salt of their country; but, slaves to pride, they have been to it as a devouring poison; and thus these wild and ardent minds, having obtained the mastery over one-half of Germany, and the other lazy and creeping beings having obtained the mastery over the other half, our country has been reduced to the pitiful condition in which we now behold it. On the one side it appears as if struck by a palsy, on the other as if

seized by St. Vitus's dance; and while the one half, labouring under an *asthenia*, broods over dull and empty dreams, the other, in a state of *hypersthenia*, wears itself out in fantastic and extravagant delirations.

The proceedings in the times of the confederacy of the Rhine, which took place in the States of that confederation, are yet fresh in our memories, and it would be both useless and invidious to revive such disagreeable recollections. When the empire of Napoleon was overthrown, and public opinion expressed itself vehemently against these courts, a re-action which developed itself from the conflict of the utmost diversity of motives was then formed in them. The pleasant habits of arbitrary power, previously indulged in, were not easily reconcileable with the new claims of the age; while the good-will, so characteristic of Germans, though keenly alive to the sting of the conscience, struggled with the wounded pride that endeavoured to retain its importance against the new order of things then bursting in, and angrily resented the importunity with which old offences were brought forward. On these

occasions too little allowance was perhaps made for the power of the circumstances in which these offences originated.

In this emergency, those statesmen of the second class who had formerly had the guidance of the change effected according to the principles of Napoleon, now proposed a convenient mode of solving the difficulty. Like their master, after his return, they threw themselves on the liberal side, but took special care to make all those reservations which they deemed necessary to their views. By yielding to the times a few concessions which it was hardly possible to refuse, enough was done to satisfy the good-will above alluded to, and to lull the conscience asleep, and the most urgent and importunate demands were thus got rid of by payment in a depretiated coin. For the claims afterwards to be given in, which, like the French national debt, had already been pared down according to law, a rich store was collected of those papers and phrases which never pass current at their nominal value; and a well-furnished shop was set up of the gimcracks with which the Revolution furnished us, and with which the

spirit of the times playfully sported, like the bird with the silver ball; concessions which cost nothing, but which always tell for something on the parade; liberties which either mean nothing, or determine to do suit and service to arbitrary power for their bread; grants prudently limited by laws of exception; hollow formulæ and hypocritical and gilded lies, in which vanity delights to deck itself, and that may be termed the auxiliaries with which the prudence of this world endeavours to force its way through all its difficulties. When the small wares began to find admirers, a hope was entertained that they might serve to purchase back the more early concessions: the result was every thing that could be wished for; and arbitrary power, which was now in possession of that state of preparation which the fashion of the time demanded, became again a saleable article in the market.

Thus the Duchy of Nassau, even before the meeting of Congress, had obtained a constitution, which, in a theoretical point of view, was not particularly objectionable, but from which little practical advantage has ever been derived. Under the pretext that

the perpetual changes of territory would not admit of the calling together the Estates, the constitution remained unexecuted for three years, during which interval an apparatus was contrived for checking and keeping down, before they could display themselves, all such passions as might by possibility be dangerous, and all such agitations as might be produced by demagogues. Hence, on the pretence that the Estates ought to be *constituted*, but by no means to be *constituent*, they were allowed to take no part in the formation of the *institutions*, which effected a complete change in all their internal relations; and their unqualified assent was demanded to the most important edicts relating to subjects, in which the necessity for consultation was increased with the number of parties and interests affected by them.

To meet the alarming power and the stormy character of twenty elective representatives of the people, the government had endeavoured to strengthen and intrench itself agreeably to the most approved rules of fortification. A compact and close united army of office-bearers, powerful, dis-

tinguished, wearing uniform, subject, like the nobility, to a free * jurisdiction, relieved as well as their sons from liability to military service, many of them connected by the ties of relationship with the Prince, ready to obey every nod of their commander, and removable individually by a stroke of the pen from one end of the country to the other, guiding and directing from one common centre through the different bailifs (*Schultheissen*), the most minute matters of the various communes, formed here as well as every where else, the principal work. The former independence of

---

* The mere enumeration of the various jurisdictions which existed in Germany under the Empire, and the relations they bore to each other, would fill a volume. It may suffice to observe, that a *free* jurisdiction probably means, in the language of the German jurisconsults, a jurisdictio *administratoria*, *vicaria*, *officialis*, exercised in the name of the State, in contradistinction to a jurisdictio *patrimonialis*, *praediatoria*, *praedialis*, &c. The following is the order of judicial procedure for the nobility and privileged class of officers of the State in the Duchy of Nassau, according to Hassel: the Senate of Justice at Ehrenbreitstein in the first instance, the Palace Court at Wiesbaden in the second instance, and the Supreme Court of Appeal at Dietz in the last instance. *Trans.*

the church might have left a weak point, but this had been fortunately covered. In the union of confessions, the members of the clerical order had also been first centralised through the testament of the superintendents to the survivors, and afterwards subjected to a complete change of condition by the farming of the church lands, by giving salaries to the clergy, and creating a central fund for the payment of servants of the state, and officers of the church in the pay of the government. Physicians and advocates, both independent classes in every other country, and who, as is well known, acted a terrible part in the French Revolution, were here, with great dexterity, rendered completely harmless. The former, after a very short period of activity, became officers of the state, whose salaries were partly derived from the treasuries of the Communes *, and the

* A Commune (*Gemeinde* or *Gemeine*) or Community, the inhabitants of a particular village, or other place, who possess certain lands, pasturages, woods, buildings, &c. in common. These Communes, like our Corporations, are of various degrees of wealth. Some of them are very rich, and the privilege of becoming a member of them is then sold at a high rate. Their administration is altogether republican. *Trans.*

latter were rendered incapable of filling any municipal offices. The incorporated companies, the degrading remains of feudal slavery as they were termed, States within the State, and therefore by possibility capable of becoming focuses of rebellion, were next dissolved. The nobility still remained, and as many of that body were not to be gained by favours, and maintained a troublesome independence, an allowable artifice was resorted to, in order to sow dissensions between them and the third Estate. To the right and left a division was made between Ultras who wished to do all *without* the people, and Jacobins who proposed to carry every thing with a high hand *through* the people. The former were opposed to the privileged part of the Estates, and the latter were opposed to such resistance as might be experienced in the Second Chamber. When, at length, after an election managed in a suitable manner by the commissioners, the dreaded democracy assembled, ministerial despotism was enabled to take its station quietly in the centre *with* the people, as was pretended; and that it might not be removed from this imposing attitude

by the unanimity of the Estates, who carried up in a body the address of thanks to the Prince, the latter was made to protest in some measure against this unanimity, as if it were something unconstitutional. Ibel, the commissioner of the government, fitted out with the power and experience which his position gave to him, now trod, in all the superiority which a dexterous talent for business and a domineering will can give, into the midst of a few deputies, part of them dependent on the government, and all of them unacquainted with business, impeded on all sides, and full of timidity, and there he unrolled before them the record of his former brilliant transactions, decrees, and creations, which they, by their approbation, were to seal and to sanction. How was it possible for the small spark of the democratic principle to compare itself with this burning bush? When the Estates, alarmed at so powerful a guardianship, demanded a speaker (*Syndicus*) as a guide and leader, this was pronounced a piece of silly and ridiculous folly, and almost high treason. When districts of the country availed themselves of the

right of petitioning the Estates, conceded to them by the constitution, and exposed to them the real grievances of the country, the demagogical opposition, to which we have alluded, was happily discovered, and a dreadful cry was raised against so astonishing an attempt; and at the same time a violent persecution was set on foot against the originators of this step, which ended with expelling an efficient and worthy office-bearer from his situation, and finally compelling him to exile himself from his country.

Thus all the ways of access to the States, except that which was left open to the government, were closed up. It had been laid down as a principle, that all the rich domains of the various parts of the country which had been united into the Duchy, were the incontestible private property of the former Counts and Princes of Nassau, when they took the Ducal Hat; and the court was thus rendered wholly independent of the grants of the Estates; and the necessities of the State, thronging of themselves into the courses into which they have once been directed, from this side also

there was nothing to fear. The taxes had been before regulated agreeably to the most praiseworthy principles of equality, with reference to land and industry; a considerable portion of the expenses of administration, with the salaries and fees of the local authorities and receivers, had been thrown on the treasuries of the different communes, as were also either wholly, or for the greatest part, the allowances to physicians, surgeons, midwives, forest-officers, in so far as they inspect the woods of the communes, schoolmasters, wood and field keepers, servants of the church, and night-watchmen; so that nothing remained for the Budget but the charges of the higher mechanism of the government; and the Estates had hardly any thing to do but to revise the tables of income and expenditure submitted to them, in the manner of a higher audit chamber. They deducted from the article of court-buildings the sum by which it exceeded the proper amount; struck out here and there a few trifling articles; burdened the taxes with the redemption of the feudal duties attached to the domains which formerly, in

a fit of liberality, were about to be renounced gratuitously; and, lastly, freed also the domain-forests from the rights of usufruct possessed by the communes, and then dissolved themselves in order to carry home with them the praise of peaceable, intelligent, and well-disposed Estates bestowed on them by the government, but at the same time to meet the loud reproaches of the people whom they had disappointed.

The suppressed discontent, irritated by these reproaches, could hardly fail, in the nature of things, to break out in some way or other in the next assembly; and as, under existing circumstances, this could hardly happen in a measured manner, and in a vigorous, secure, and firm opposition, it found a vent in the violent explosion that took place when the favours granted to the domains, by pressing severely on many of the communes, rendered the introduction of poor-rates necessary. This explosion ought to serve as a lesson to arrogance, that human patience has its limits, and that, when too much abused, it breaks unexpectedly loose, and avenges itself on those who presume too much on

it. As, however, all irruptions are, from their nature, temporary, and a despotism founded on calculation never renounces its activity, such a despotism could not fail to become in a very short time the master of the explosion in question; and the whole of this resistance, which was altogether without a plan, ended at last in a second act of violence exercised towards another office-bearer, and the secret was found out of completely annihilating a constitution, not bad in itself, by means of itself.

Thus there was here established a pattern-state of the modern constitutional school, by which all men are made equal in one common servitude, and freedom appears a mere piece of delusion and mockery. The work was executed agreeably to the model of France, a microcosm of the macrocosm of Napoleon, and behold the master saw that it was good! Council of State, Chambers, Budget, two parties of Ultras and Jacobins yoked to the triumphal car, from his exalted seat on which the charioteer guides it with an iron hand to the goal; in front of the procession, odes to freedom, the flourish of trumpets, an

official Moniteur, which at one time waves the thyrsus of liberal ideas, and shouts *Evoe Bacchi!* at another blows the bird-call with which liberal bull-finches * are caught; and then again, as a constable with a staff keeps the disordered people in order, bears down all opposition with scorn; here and there rubs a scolding mouth with the sweet honey of general expressions of liberality, till, perceiving the grateful taste, it closes in astonishment; then severely chides the most modest doubt; in the train, vanity and shallow self-sufficiency, the rage for organisation and innovation, centralising and paralysing, show and paper activity, fiscal rapacity, impurity and deceit; and by way of finish to all these grand things, Hunt and the Spafields meeting in the county of Katzenellenbogen, and the bliss over and above of an investigation into an extensively diffused conspiracy. Dreadful folly of an age, false and untrue even to the very marrow of its bones, which, after it has long deceived the world, at last gives credit to

* *Gimpel* (*bull-finch*) is applied by the Germans to a simpleton. *Trans.*

its own lie; and, after stripping off every vestige of nature, in its audacious presumption allows no subject to remain sacred from the exercise of its histrionic arts, and converts society, state, church, the most venerable objects on earth, into a mere farce.

What was brought to a successful termination in the manner above described in the Duchy of Nassau, had been already attempted in Bavaria, by the minister Montgelas, who gave it a constitution so far back as 1808, and proclaimed a second constitution at the period of the Congress. This man, who possesses all the qualities, both good and bad, which in the preceding pages have been ascribed to the whole genus, at the very moment when he was grasping at the dignity of Chancellor of State, to the great amazement of all those who shared his opinions and sentiments, in consequence of certain circumstances, the real connection of which is not yet before the world *, was

* It is supposed that he was sacrificed to the dislike which the Austrian Court entertained towards him, on the marriage of a Princess of Bavaria to the Emperor Francis. *Trans.*

suddenly precipitated from his elevation, and succeeded by a ministry, not a little jealous of its power, indeed, but which neither possessed the influence, the craft, nor the violence necessary to reduce it into so complete and consistent a system. The King gave a charter, in which, it is true, an excessive anxiety to preserve the prerogatives of the crown was perceivable; but which placed at the same time the commons in a position with respect to the throne, that may enable them to rid themselves by degrees of the influence of defective institutions, and procure the introduction of better in their stead. The re-action on the constitution to which this is likely to give rise, may, in turn, improve what still remains defective in it.

Hence the Diet which was here held, was something more than one of those blue exhalations which ascend for the purpose of mocking the age. Much of an objectionable nature found, no doubt, an admission into this assembly, but as it did not seat itself in the centre, and from thence exercise a preponderating influence over the whole, there was not very much to be

said against it, as worthlessness has as much a right to be represented as stupidity. Hence, after the first apprenticeship was over, along with a good deal of heavy helplessness, pettiness of conception, and ignorance of constitutional matters, there was developed at the same time in the Second Chamber, a trust-worthy business-like understanding; and a just, moderate, and honourable disposition, open to the reception of every thing good and valuable. Many of the secret evils by which States are oppressed in the present day, were there disclosed; many a steady and penetrating glance was thrown into the late odious and abominable times, notwithstanding all the care which had been taken to guard against this; many a good measure was readily adopted by the government, and a path was cleared for many institutions of an improved nature; a stop was put for the future to glaring abuses, and the disorder of the age was thus brought to a crisis.

When the Chamber, however, in its peaceful and unanimous investigation into the defects of the commonwealth, having

wounded the extremities, reached by degrees to the internal vital parts, and began at length to touch the great and peculiar sore by which all the States of the present day are consumed, namely, the excessive, and beyond all measure extravagant number of the double soldiery of the civil and military establishments; the disordered state of the finances occasioned by these numerous and brilliant establishments; the abuses caused by these financial disorders, when, after resorting to every form of taxation, things had at length come to such a pass, that the government held the bank at the pharo-table against its own subjects; the cabinet and ministerial despotism which interferes even with the administration of justice:—then the patience of the liberality to which a pretension had been rather indiscreetly made, became exhausted; and the whole of the dregs of the bad passions with which Germany has so often been harassed from the same quarter, were again stirred up. The moment was now come when the First Chamber considered itself called upon to interpose itself as a dam against the waves of the Commons,

which had risen to too great a height; the Council of the Kingdom (*Reichs-rath* *) condemned the pretensions of the Second Chamber, as being of too practical a nature; the taxes ought, according to this council, to be granted magnanimously agreeably to the constitution, without an endeavour to connect with them any conditions of radical improvement; and after the scandalous scene exhibited with respect to the addresses of the army, whose admission to the constitutional oath had been rejected on the ground of its not being a deliberative, but, on the contrary, a purely dependant body, though it was here, notwithstanding, allowed to deliberate on constitutional matters, the person of the ruler was at last introduced in a manner very unsuitable to his dignity, into a dispute, which, as the first commencement of a conflict, whose termination is yet uncertain in respect to time, but by no means so in respect to result, is of the utmost im-

* This is the name given to the first Bavarian Chamber. *Trans.*

portance in whatever point of view it is considered.

Similar causes have led to similar results in Baden. This country had been for years one of the principal foci of the changes introduced by the times. More constitutions than ever were produced by France, had there followed one another in rapid succession, one of which, in order to give something like an air of originality to German folly, was drawn up objectively and subjectively, according to the title; and the change of ministers had been more frequent than that of consuls in ancient Rome. The court, by way of fulfilling the 13th article, gave in like manner a charter, which, from the political embarrassment it was placed in at the time, was intended to conciliate public opinion in its favour, as being distinguished above every other constitution for its liberality. This constitution was, in reality, received with very general approbation.

In the assembly which met here, the quick, active, animated, and clever spirit which the inhabitants possess in a greater degree than those of many other coun-

tries, soon began to display itself along with real talent, and, as far as could be seen, a great deal of practical skill. In this assembly, too, many important subjects were brought into discussion; and if occasionally, as for instance in the affairs relating to the church and the nobility, they sometimes proceeded with a degree of partiality, this may well be excused, when we think of the mass of absurdity, every where in motion, to which it was opposed.

Here also, when affairs had been brought to the critical point; when the important and appropriate question respecting the just participation of the Estates in the decrees of the Federal Diet came to be investigated; when the excessive excrescences of the civil list were, as justice demanded, cut down in order to cover the deficit; when the *miles perpetuus* was again called on to consent to a deduction (far too small, no doubt,) from his allowance; then the court began to view the audacious work with alarm, and surprised at the increasing seriousness of the undertaking on which it had so lightly entered, and little prepared

to satisfy the just claims of a time agitated even to its innermost parts, it determined, by an abrupt interference, to put a stop at once to the proceedings. Here also the Prince was unable to conquer his irritated sensibility; he prorogued the assembly, with unbecoming haste, in the midst of their proceedings respecting the budget; with the violation even of common decency, the Estates were not dismissed, but driven out: on their return to their homes, they were placed under a regular quarantine; and the constitution, though in form entire, was yet, on its very first trial, materially violated, as the Estates had been prevented from exercising their just rights. This furnished another proof of the degree of worth of any constitution, which, without historical foundation, without the security of free institutions, and strong and well-established corporations, rests merely on the mutable will of a ruler, and can be given by one cabinet-order, and taken away by another.

The secret and venerable power of the old rightful constitution in Wurtemberg, had opposed a better resistance to similar

26035

irruptions on the part of arbitrary caprice. The King, enraged at the unexpected opposition he met with in carrying his well-intended purposes into execution, had, re-acting with Malchus, thrown himself also into the arms of the school already described; but the triumph of the moment was here succeeded by a complete overthrow. To punish this unworthy beginning, the *Nemesis* did not recur to dagger or poison: a slight error in calculation, which concealed itself under figures like a serpent under flowers, was sufficient to prepare a disgraceful end for this grand undertaking. Hence, though after the dissolution of the States, many an impure cry was to be heard in that country along with the ebullitions of patriotism; although all the arts of seduction of the times were then resorted to, and every endeavour was made to confound and perplex the people; the cause of plain and unvarnished right and justice was at length victorious. The King, with meritorious self-denial, and a confidence worthy of all praise, summoned a new constituent assembly; and Wurtemberg, as a reward for

its adherence to its ancient rights, and for not allowing itself to be deceived into a confidence in light-minded theories, now enjoys the distinction of which no other German people can boast; that by an amicable arrangement with the government itself, it is preparing its constitution in a constitutional manner, and securing it on a truly immovable foundation.

If, in Rhenish-Hesse, the harmoniously-concurring and placable way of thinking, though yielding nothing to the rights of the people, afforded the first tranquillizing and grateful phenomenon witnessed for years; on the other hand, the smothered agitation which has prevailed in that country for some time past, cannot fail again to wound it the more deeply. A truly benevolent, well-disposed Prince, whose mind is insusceptible of any evil purpose, but who, perplexed by the times which he can with difficulty comprehend, allows himself to be hurried on to many a mistake that he frequently endeavours, with an uncommon degree of good nature, to make good in an affecting manner; add to this, an extravagant expenditure on many favourite ob-

jects, though it is less, perhaps, for his own sake, than for the sake of those who are benefited by them, that he is unwilling to determine on retrenchment; a ministry divided among themselves, who, without compass, and without knowledge of the stars, sail with every wind that blows, without knowing whither they are directing their course; an active people, oppressed in a number of ways, acquainted with their rights, and pursuing them with zeal; a meritorious perseverance, and a praiseworthy participation in public affairs, not to be turned aside by any opposition or resistance from the prosecution of their purpose of enforcing their rights, claims, and demands: — such are the elements of this dispute, which now indeed seems alarming, but which, with so much benevolence on the one part, and so much firmness on the other, cannot fail to have a favourable termination.

The contrast between the North and South of Germany, which prevails in general, has, however, its exceptions. The newly reformed constitutions of the Tyrol and Gallicia, as well as that of the small

territory of Vaduz, which Germany viewed with delight for a time, have transplanted the lame and timid character of the northern conformations into the South; while in the North, again, a prudent, active, but very self-willed Princess *, opposes her imperious and ambiguous liberality to the old rights of her subjects, in as tyrannical a manner as has ever been witnessed in any of the States of the Rhenish confederacy.

While, in the one part of Germany, the political reformation has, by degrees, fortified itself at a stage which may be compared with that at which the ecclesiastical reformation of the episcopal church of England stopped, the dissenting provinces of the Rhine may, on the other hand, be said to have reached a sort of political Calvinism, of the description of that of which Switzerland before set an example, and which the Swabian and Rhenish towns fruitlessly endeavoured to obtain, but which the Dutch Provinces afterwards, and Belgium at last, were more successful in realising. In the

* The Princess of Lippe-Detmold. *Trans.*

blunt, austere, unimaginative spirit, peculiar to the political school so universally established in that quarter, the deputies of the Circle of the Rhine voted in the general assembly of the Estates of Bavaria. However much, in general affairs, they might frequently be carried away by fixed ideas and preconceived opinions, they always proved themselves strenuous and praiseworthy representatives in all that related to the practical interests of their province. The same spirit has openly manifested itself in most of the public votes which have been given in Cis-Rhenan-Hesse.* In the smaller districts on the Rhine, a violent opposition to the distant governments has been formed; and, in the Prussian territory, where most of the Rhinelanders are united together in one mass, it could not fail to display itself in the most decided manner.

When these tracts of country were united to Prussia, it was as if the extreme points of Germany had been violently bent towards each other in all directions. A diplo-

* That part of the Grand Duchy of Hesse on the left bank of the Rhine. *Trans.*

matic blessing was indeed pronounced on the union, but Heaven, up to this very hour, has refused to confirm that blessing. On the one hand, we see a State held together solely by the idea of the King, who, by cabinet orders and ministerial edicts, without a constitution limited and regulated by law, wields the sceptre of a mild despotism; office-bearers who carry on their operations in secret agreeably to indefinite instructions, and who proceed with the most tedious formalities, and an administration of justice equally circumspect and secret, and observant of rules and precedents; a military spirit, which, though somewhat mitigated, is yet of the most rigid and austere character, pervading every thing, and disposed, as it were, to deprive life of every thing like volition or consciousness, and to hold it tightly pressed down under the forms of a relentless subordination. On the other hand, we see a people without any native princes, a country without courts, or capitals, a nobility almost wholly extinct, an impoverished clergy; a third Estate, till lately not affluent, but raised to prosperous circumstances by the sale of

public property, yet a stranger to luxury, but feeling its power, and even inclined to arrogance; obedient, but not submissive, subject to the law, but easily irritated by every act of an arbitrary nature, though originating in the best intentions; in all things accustomed to what is practical, and therefore inimical to whatever is irregular or confused; accustomed to a rapid mode of carrying on business, and fond of publicity; by no means averse to arms, but abominating the stiffness, rigidity, and overbearingness which usually accompany the military spirit.

Contrarieties of so decided a nature, when first brought into contact, could hardly fail to produce a severe shock; and it was impossible that the conflict to which it gave rise, should not turn out to the disadvantage of the new government, as it appropriated to itself whatever there was *to do*, and assigned the natives a *passive* part. From the time, therefore, that the government first forfeited their confidence by its attempt at organisation, they betook themselves to observation, and succeeded only too soon in discovering all its weaknesses.

The present state of things having been unanimously rejected as completely insecure, their whole attention was immediately directed to the progress of the government in the business of the constitution. The appointment of the council of state was viewed with satisfaction as the first introductory step to this business, though after its appointment it turned out nothing more than an administrative board. In like manner the appointment of a committee for framing the constitution was thankfully received, as was the more recent abolition of the secret police, and also the institution of the immediate justice-commission at a former period. When, on the motion of the chancellor, three members of the committee of justice proceeded through the different provinces for the purpose of obtaining a knowledge of the existing and former laws and institutions of those provinces, this measure, though too long delayed, was also considered in the light of an advancement. But when these commissioners returned, and delivered in a report of the various laws and institutions of the country, and no second sitting of the com-

mittee was seen to follow, this tardiness in the movements of government began to excite an apprehension that it was on the point of adopting a retrograde course.

In the mean time the chancellor visited the Rhenish provinces, and his appearance gave rise to fresh hopes. He received the well known address; and the discussions which took place on that occasion, as they were public, could not fail to excite a belief that the re-action had at least reached its extreme point, and that all the disputes, if a spirit of mutual good-will and conciliation were only displayed, and an allowance made for former misunderstandings, would soon be happily settled. But when the King did not redeem the promise which his mandatory was fully empowered by him to make; when the inhabitants saw that an act in every respect legal, and executed with all due respect and reverence, subjected them to an ungracious reprimand, and that they were reproached with doubting the fulfilment of the royal promise, though they had expressly said they did not entertain the smallest doubt; when they saw the King express displeasure at the conduct of the

local administrations, because they allowed what they could not with any show of justice have prevented; and when those only were praised, who by violent proceedings had stifled the expression of the public voice; the people were silent, as they did not even then forget their respect for majesty, when they saw it entangled in error; but a rent had taken place, and the old wounds which the brilliant semi-official and even indecorously witty answer afterwards returned, was unable to heal, and still less the prolix familiarity of another publication following immediately in its train, and written with the view of administering consolation, exhortation, and dissuasion, now gaped more widely than ever.

If the Rhinelanders, on their part, too loudly censured the conduct of some members of the nobility on this occasion, they thereby proved, that if in the agitations of the period through which they had passed, their sense of independence had been very much sharpened, they had, at the same time, lost the feeling of natural equity. This was proved in the clamour, very unreasonable for the most part, which was raised against the

step taken by the nobility of the Netherlands with the best intentions, and from the purest motives, as well as against the paper, which, on that occasion, they delivered into the hands of the chancellor. As the equitable nature of the sentiments which were displayed by the nobility in that paper could not be disputed, suspicion attached itself to a pretended mysticism in the style, which, it was said, concealed some secret malice; and having rejected with republican pride the co-operation of a body which never can again be with us dangerous to the general freedom, they had, at the same time, renouncing in their excessive eagerness the old rights on which the claims both of the nobles and third Estate were founded, surrendered themselves at discretion; and as they had not acted agreeably to equity, they thus renounced all claim to similar equity on the part of the more powerful aristocracy elsewhere.

From that moment, however, the belief in a retrogression in the principles of the government became rooted in the opinion of the public, and every subsequent occurrence has merely served to afford nourish-

ment to this belief. The foundation of the University of Bonn, and the very promising termination of the labours of the Immediate-justice-commission, were gratefully received from the government; but the impressions produced by the financial operations which followed, could not fail to extinguish, in a short time, this favourable disposition. When the taxes, which were abolished by the provisional government, on account of their odious nature, were successively re-introduced; when the custom-duties, demanded perhaps as a protection against foreign countries, interrupted all commerce with the interior, and oppressed and impeded the places on the frontiers, in a variety of ways; when a duty imposed on brandy, amounting to three-fourths of the price of the commodity, by putting a stop to its manufacture, ruined the agriculturists; when a duty on must, on an average five times the amount of the land-tax, was demanded from the impoverished vine-husbandman, which reduced him to the necessity of threatening to grub up the vines if it was persisted in; when of all the liberality of former years, nothing now

remained but a military law, strained beyond all proportion or measure, by which, under the pretext of elevated ideas, the whole population, without exception, were reduced to a liability to serve in the army; — then the opposition necessarily diffused itself through the whole mass of the people; and when they could not, by supplicatory means, obtain the good they wished, they endeavoured, at least by protesting, to avert from themselves the evil which they apprehended. And when the local administrations, after having officially proved that the existing taxes of the province actually amounted to the four rix-dollars demanded for each soul, felt themselves under the necessity of declaring the introduction of new taxes absolutely impossible; and when the minister had reproved the town-council of Coblentz for the narrowness of their views in political economy, disclosed by them in their protest, and consoled them with the prospect of a speedy imposition of still higher duties; then indeed the rigid consistency of a system, which it was impossible to disconcert, to whatever absurd length it was pushed, certainly gave rise to

no ordinary degree of astonishment; but the people felt, at the same time, that it was high time a constitution should set some limits to this stoical inflexibility.

In addition to these political relations, the whole of Catholic Germany was agitated by other considerations of a still higher nature. The influence of these considerations was felt on the Rhine, but most of all in Westphalia. The condition of the Church, and the disgraceful thraldom in which it was held, gave rise to them. The arrogance which had long existed in Protestant Germany, after the tri-centenary celebration of the Reformation, reached the most insupportable height, and the excess displayed on the one side naturally gave rise, on this occasion, as it always has done, to an equally strong re-action on the other. It was not that just, pious, and modest Protestantism, which takes its stand in all humility before the gates of the mysterious and impenetrable kingdom wherein the things that cannot be known are contained, and which, though it restricts its belief to the written word, does not, on that account, trample with contemptuous scorn on the

common belief of all ages and times involved in Catholicism, as something beyond measure absurd and objectionable; — it was not in a belief of this description, between which, and the common belief of Catholicism, the coincidence is always the greater, the more room has been allowed for pure and disinterested conviction, and the further the free enquirer has penetrated into the depth of things, that this intolerance had its origin; for, on carefully tracing the course of each particular part, it will at last be found to have an intimate connection with the whole; and when the dross is removed from what has been drawn up from the depth on both sides, the same silver ore meets our view, so that in this respect Protestantism and Catholicism may be considered, with respect to each other, as in the relation which the integral bears to the differential calculus.

But here, also, it is that spirit of self-conceit, which, unable to dissever even the external ties of gravity, presumes, notwithstanding, to tear itself loose internally from all that is historical; which, not satisfied with examination and enquiry into the universal

laws by which things are connected together, attaches itself, with an insolent refractoriness, to what is perishable, fleeting, and unreal; and, from a mode of viewing objects superficial in the extreme, deems its imaginations, its vanities, and passions, to be great and important laws of nature, and takes its seat by cross-roads to communicate instruction to history, which, borne along in her rapid career by her celestial coursers, perceives not the mote that plays in her beams. From this spirit proceeded the clamour which was raised in Protestant Germany, and which resounded over the Rhine, that Catholicism in itself was dead, and its burial had merely been neglected; that its dogmas were untenable, and even altogether irrational; that the infallibility of the Church was the true slavery of the mind; and that its hierarchy was the work of an odious priestcraft, and an insupportable tyranny. In its zeal and brotherly love, it then compassionately offered to accompany the corpse to the grave, and to do the last honours to the departed; and having burst asunder the degrading chains by which the votaries of Catholicism were weighed down,

it proposed that they should then take the field together, to effect the downfall of tyrants.

On the same grounds as those that formerly united together the princes against the Imperial power, which had long been a mere shadow, a similar union was preached against the Pope, the great tyrant of Christendom, whose spiritual power is now reduced to the same low ebb. When the Catholics held their tongues, and merely shrugged their shoulders, at sight of this commencement, the public attention was then directed to the Jesuits in Switzerland, where a dreadful phantom was conjured up. The zealots of Protestantism collected together, in the Opposition Journal, and others of a similar character, all the impurity of ancient times, all the bad and wicked acts of which the Popes had ever been guilty, into one heap, and, like the Berlin watchmen of Zion, in former days, they scented out secret intrigues in every direction, and calumniated and abused most honourable men who refused to abandon their belief, and their conviction. That that admirable description of liberality, which would concede every thing to power, if power will only

assume the forms to which it is attached, and second its private views, might here also be displayed in all its perfection, the principle adopted in Protestant churches, namely, that the prince is the first bishop of his country, was now, we were told, to be extended also to the Catholics who were subject to Protestant governments. In this manner the prince, already commander in chief, supreme judge, and police director, proprietor of the land which the cultivators hold from him by lease, was also, as *Pontifex maximus*, to sit in judgment on men's consciences, in order that, like Henry the Eighth, by act of Parliament the defender and supreme head of the Church of England, but, in reality, its tyrant, oppressor, and plunderer, he might preside over convocations, pass bills of six articles, and publish *Institutions and Eruditions of Christian Men**: and that, after his example, should

* Henry the Eighth, without consulting the Convocation, published a manual of faith, called the *Institution of a Christian Man*, and, soon afterwards, another, called the *Erudition of a Christian Man*, differing from the former, to both of which he in turn required the belief of the nation. *Trans.*

fanaticism again raise its head, he might burn those who adhere to the Pope, and break on the wheel those who abjure him. Hence the clamour against the Bavarian Concordat, the most objectionable parts of which are the concessions therein made to the State; and hence the tender regard for Wessenberg, who may be a well-meaning man, but who has acted unjustly in taking refuge behind temporal power, in order to succeed in his impure purpose, and realize his ill-founded claims against the *Curia* of Rome; and thus, under the pretext of defending the liberty of the Church, actually betraying it to the sovereign. *

The suspicion which these ill-dissembled plans excited in men's minds, was considerably strengthened when a concordat-commission from the Protestant princes, filled for the most part with Protestants, opened its sittings, and the preliminary discourse

* The conduct of Wessenberg is exhibited in a very different light, in a volume containing an account of his dispute with the Pope, published by Ackermann, in 1819, under the title of "Reformation in the Catholic Church of Germany." *Trans.*

of the minister, Von Wangenheim, held out hopes that the internal regulation of the Catholic church, and its future relations with the Pope, would be settled in that synod; when a journal blabbed out the propositions intended to serve as the groundwork of the proceedings, which began with stripping the Pope of all the functions of his primacy, and reducing him to the condition of a fisherman abandoned by his first predecessor the Apostle, in order to follow the Lord; and when at length they learned that the decree for the abolition of celibacy in a neighbouring country, neatly copied out and ready for signatures, had found its way into the minutes, and would have been carried into execution, but for one of the courts concerned, which dissuaded this measure merely on account of the burden of the widows' pensions: — all this could not fail to have the most unfavourable influence on public opinion, though the result of the labours of this commission tranquillised those at least to whom they were known; for the extension of the right of election to the inferior clergy in deaneries, as well as the establishment of the princi-

ple that bishops should only be tried by their peers, were measures in every respect deserving of the most unqualified approbation. Those however who were at all acquainted with Catholic affairs, could not fail to be firmly persuaded that the *Curia* of Rome would never renounce its right to send a delegate to represent the public ministry in such tribunals, nor tolerate the schism which the petty jealousy of temporal sovereignty had introduced into the hierarchy by the abolition of archbishops; and that it would now be less than ever disposed to forget itself so far as to concede to Protestant princes the right of naming Catholic bishops.

Prussia, containing within its bounds more than four millions of Catholics, had not acceded to the union; and from this refusal an inference was drawn that it was determined not to allow itself to be surpassed in point of liberality on this occasion. The King, on taking possession of his new territories, had made the most distinct promises; the chancellor had repeated them in the audience to which an allusion has already been made; and the concession of the right of election, demanded by the

chapter of Munster, had been viewed as a pledge for the fulfilment. But the line of conduct now adopted, was an exact repetition of what took place respecting the constitution; and the church, to the scandal of all men, was suffered to remain in a more miserable state than it ever knew under the French dominion, and told to subsist, as well as it could, on the pitiful means assigned for its support. The Holy Alliance, written out on parchment, was carefully preserved in the archives; edifying discourses on piety and Christian virtue had partly driven out the old style of diplomatic formality: but the Christian rule, to give every one his own, was, in substance, though not in appearance, as much violated as ever. The last domains, the miserable remains of the grand robbery, and, at the same time, the only existing security for the debt of the country, and the only source from which the church could possibly be endowed, was exposed to sale, in defiance of every protestation; the whole of the ministry of state, unmindful of the royal debt, subscribed the contract of sale; as if the subscription of numbers could give a more

legal character to the act; and as if what in itself is unchristian could become Christian by the participation of several persons in the same sin. The brood of miserable sophists which this age has hatched, and who are always ready, for a paltry fee, to prostitute their talents to every power that will employ them, now taught, that the State could never consider itself in peace and security so long as the servants of the Church should not, like other officers, be fed from its bounty. Moreover it was said, domains only serve to stimulate the cupidity of the enemy, and it would be better, therefore, at once to free the country from so dangerous a possession; upon the very same principle, that the documents and manuscripts belonging to the province, recently brought back from Paris, were, under the pretence of insecurity, conveyed to the Prussian capital.

When, still more recently, the spiritual foundations were suppressed, without the concurrence of the parties interested; when the Calvinist church of the country could, with difficulty, defend its liberties against the ministry, and the various governments, in the question respecting

mixed marriages, which ought only to be arranged with the Pope, attempted to compel by force the Catholic clergy to accede to their views; when one of those governments, in the heat of dispute, even proceeded so far as to place the priests under the superintendence of the burgomasters, and the clergy, who had done nothing more than their duty, were accused, in a cabinet order, of intolerance; when various other doings, accusations, and disappointments, became generally known in their details; — then public opinion was not long in determining as to the part which was to be taken, and unanimously declared for the clergy, who, covered by this double shield, remained secure and immovable. The government now betook itself to the general negativeness of the age, by way of retreat; but suspicion was wakened, and that disposition of the Catholics inclining them to the historical, which alone could relax the rigid political feeling, already compared by us to that of the Calvinist confession, now irritated in its turn, added greatly to the former fermentation.

This fermentation has been most loudly

displayed in writing. After Prussia had subjected the public journals to a timid, anxious, and petty censorship, which could not even tolerate the *Westphalische Anzeiger*, another asylum was sought for the free expression of opinion. Such an asylum was found in the constitution of Weimar, one of the fundamental laws of which was, the abolition of all censorship. This constitution, which, from the limited nature of the relations of the state of Weimar, has never, up to this hour, produced any important results, with the exception perhaps of the disbanding of regular soldiers, as they were found incompatible with the charges of an expensive court in so small a territory, had, from the freedom of discussion which it promised, acquired an importance in the eyes of all Germany. From thenceforward began the petty warfare of the age, struggling for emancipation with that state-police which would restrain it with all its power and impotence in a condition of the most degrading thraldom. Whilst the *Isis* *,

* Physiological, scientific, metaphysical, and political journals, published at Weimar. *Trans.*

shaking the *sistrum* * of elementary nature, explained the hieroglyphics of animal life, the vulture-headed *Osiris* † waved with a powerful hand his scourge over every abuse, and *Anubis* †, the *Latrator*, stood sentinel at the gates of the kingdom of mind, watching lest power should attack it by surprise; whilst the *Nemesis* † anxiously endeavoured to keep within the bounds of moderation and rule, and though constantly declining in energy, sowed much good and valuable seed, especially in the higher circles; whilst the *Patriot* †, with intelligence, decision, and dexterity, defended opinions, very often characterised by their partiality; — in answer to their loud call, other voices resounded from the mountains of Switzerland, through Wurtemberg, and towards the Danube, where the *Allgemeine Zeitung* ‡, to the no small entertainment of

* Sistrum, a brazen instrument, a species of rattle used in the rites of Isis. *Trans.*

† See the note on the preceding page.

‡ A journal well known in this country, published at Augsburg, formerly a free Imperial city, now part of Bavaria. *Trans.*

the public, opened a *Fair of Plundersweiler**, in which buyers and sellers, mountebanks and gypsies, honest men and rogues of all descriptions, passed and repassed each other, always, however, under the vigilant superintendence of the local magistrate †; and then illuming the Upper Rhine with coruscations of intellect, and ascending the Maine, burst forth with a loud report, heard throughout all the south of Germany; while not a tone nor a sound was heard in the

* A dramatic satire, by Goethe, in which French tragedy is very roughly handled. *Trans.*

† The Allgemeine Zeitung was open to communications from all parties in all countries. The same number would frequently contain an article from an agent of the French ministry, attacking the Liberals and Ultras; an article from the Liberals attacking Ultras and Ministers, and an article from another correspondent abusing all three; articles in praise of and against constitutions, and recommending and condemning arbitrary measures. The proprietor, M. Cotta, of Stutgard, in Wurtemberg, is one of the greatest booksellers in Europe, and distinguished himself, in the Estates of Wurtemberg, by his speeches in favour of the government. As he is a privy counsellor of Prussia, the conduct of Prussia was always touched with a tender hand. Such was the Allgemeine Zeitung. What it is at present it is hardly possible to say. *Trans.*

mute north, except that in the free town of Bremen *, at one time only wavering and timid, and in Hamburgh, where the *Observer* † strove, with number and measure, to comprehend the measureless age, an effort was made to save, in some degree, its honour. These voices formed altogether a chorus, not always indeed of the most harmonious description, nor the most observant of the laws of prosody, but which, nevertheless, called to the recollection of the buskined heroes, who with tragic step stalked over the stage, many a wholesome practical rule of life, many a valuable truth which had escaped them, and many a useful advice which they had despised.

But this chorus, long expelled from the modern stage, which has adopted, instead of it, confidants and gentlemen in waiting, having thrust itself forward so uncalled for, and set at defiance the three unities, without the least consideration for the refinements of high life, was little relished at court, and endured only for a time with

* The Bremen Journal. *Trans.*

† The German Observer. *Trans*

great impatience. The unrelenting egotism which prevails in German courts soon concerted measures for the removal of this odious innovation. Diplomatic campaigns were commenced against the journalists, in which, as in grand hunting-matches, the noble animal is provoked by dogs, teased with hallooings, and chased by pursuing hunters, till at last he falls down breathless, or sees himself under the necessity of plunging into water or bogs. The German forms of judicial proceedings were precisely such a bog to the persecuted writers in the State, in which a freedom from censorship had lately been established; the most ardent of these writers, after remaining a very short time in this mud-bath, found the cooling quite sufficient to deter them from exerting themselves any longer with an over-abundant zeal in the cause of their country; and the German assessorial-jury, (*schöffen*-jury,) in beautiful figures of rhetoric, pursued with fire and lightning those who thereby escaped a watery death. That court liberality might here also become the derision of the world, the inconvenient tediousness of all constitutional forms was

soon laid aside, and after allowing Oken to choose between a rope for himself, or the continuance of his Isis, they without ceremony soon dismissed both him and his journal.

Others, foreseeing this fate, and having too much self-regard to expose themselves in such a manner to the rage of the agitated elements, had prudently adopted a safer course, and entered into an amicable arrangement with power for mutual satisfaction. To speak of liberty and liberal sentiments in general terms, while in practice they glossed over and justified every act of despotic violence, and every detestable institution, seemed to them the only course compatible with an age in which all regard for justice was laid aside. It was allowable to exhibit on the parade all the heroes of Plutarch, provided every man were held up as insane who wished, in any manner, to imitate them. To repeat abuse against the nobility; to speak on ecclesiastical affairs in the tone of bold illumination; to treat the Jesuits with in-[illegible]; to rail against the middle ages; to in-[illegible]gh as much against feudal oppression as the heart could desire; to arraign the *Ul-*

tras in France, and expatiate on their folly; to exhibit mysticism in all its nakedness; to hold forth against bad passions, and the prejudices which every where obstruct the progress of improvement; to enlarge, with energy and freedom, on the blunders of the King of Spain; and to rally, from time to time, the German John Bull; — this is the liberal arena on which they display their skill and activity. On the other hand, they are ready to cover with the cloak of Love the most infamous acts of tyranny, of him whose bread they eat; concede to him, with the most affectionate kindness, every exception from elevated principle, and to put themselves forward on all occasions as his champions. On these conditions, letters of marque are then issued out against the neighbouring governments, till they are weak enough to come into their terms, when a mandate is immediately issued that it would be illiberal and injurious to the German cause, to dwell longer on the faults hitherto stigmatised by them. Parasites of princes, torturers of the truth, hypocrites in politics, impudent sophists, whose opinions are as much at the command of the

court, as they wished the church to be; — these wretches are to be found in every part of Germany. They know, and praise, and lend a helping hand to each other, and as false friends of the cause, they are more dangerous than its open enemies, as they blind and confuse the people with the show of liberality which they are perpetually making.

Opinion, therefore, irritated as much at the falsification of the simple truth, in which these personages indulge, as at its entire suppression by others, has begun to betray rather a disinclination for the press, and a fondness for oral speech and tradition. From the animation which characterises the present movements of society; from the rapid circulation of opinions, and the prodigious intercourse which brings the most distant objects in contact with each other, public life may be said to have become completely transparent; and in this medium minds approach so near to each other, that they become like a conducting chain, along which opinions, like lightning, flash with rapidity from one extremity to the other, in all directions. Hence nothing that happens in any quarter remains hid

from tradition; for as all feel the ignominy which attaches to their country, and every man wishes to throw it on his neighbour; in like manner one individual always loudly proclaims the honour of another, that the same favour may be shown to himself in return. The opinion which is formed respecting things and persons, is, therefore, generally founded on facts; and though at first adopted, perhaps, on light grounds, this error is soon corrected by diversity of views. Mitigated or sharpened at pleasure, it seldom remains unjust for any length of time; though an age, irritated beyond measure at the frequent deceptions which it has experienced, may often feel too little love for individuals, and too strong a disposition to condemn them.

In this severe tribunal of the living all the printed lies above alluded to pass for nothing; all the beautiful phrases are stripped from off the truth which they conceal. Those who sally forth in the dark, wrapped up in the wide mantle of human vanity, are marked with the names which have been assigned them in this tribunal; and facts and events, supposed to be shrouded in

concealment, are known to the whole world. The parties concerned are alone seldom aware of this, except their conscience gives them an obscure intimation of it, when they sometimes attempt an answer without any previous challenge. The more the press is fettered or poisoned, the more this tribunal is severe and unrelenting, and its decrees are generally injurious to those who practise this constraint or falsification, and have now no opportunity of defending themselves. Many events, which appear inexplicable, can only be cleared up and rendered intelligible by a knowledge of this traditional opinion of the people.

During the various movements occasioned by the events and incidents already alluded to, the Liberals, as they are called, who in the years of our liberation were only agreed in general as to the necessity of the introduction of a better and more worthy condition of things in Germany, without coming to any understanding as to the way in which this was to be effected, divided themselves into two leading parties. The one, called the *Historical*, were of opinion, that a better state of things formerly

existed in Germany, when united under one Protector, and divided again into members and parts subordinate to these members, provinces, estates, and flourishing corporations, it remained secure within itself, free, energetic, and rich in its peculiar manners and customs, and independent organisation, externally honoured, esteemed, dreaded, and commanding, and in a situation to repel, with ease, every foreign force which should attempt to attack it. They were further of opinion, that confusion and disease first crept into this flourishing body, from the head becoming stupid and besotted, and the members wanton and arrogant; that from the continual increase of this proportion, the disorder had perpetually gained ground, till at length, after the Reformation, it broke out in that furious paroxysm which introduced into the empire the organic defect of a dissension, hitherto incurable; a wound inflicted with a poisoned sword, like that of Titurel, from which, like him, without dying and without recovery, it continued to drag out a miserable existence for two or three centuries till hostile power at last overthrew the

reeling and marrowless body, trod it under foot, bound it to the triumphal car, dragged up and down the dishonoured remains, a melancholy spectacle for gods and men, and scattered about the mutilated members, as Medea did those of Absyrtes.

They were further of opinion, that as, with respect to the people, the form alone is perishable; and as, after every decay, a regeneration in another form must follow, the new Germany ought necessarily to be born again in the peculiarity of the old, in its customs and ways of thinking, from the elements still existing, and in the type which still unconsciously pervades all their efforts at developement; in order that men may see that the spirit of the fathers still dwells with the children, and that they are not a new people, the bastards of the neighbouring nations, who have found their way into the country, and built another temple on the heights of Garizim.

They were further of opinion, that the problem which these times were called on to solve was, the removal of all the additions introduced by the corruptions of centuries; the abandonment of all that in the

reprehensible departure from history and the nature of things, depraved selfishness, senseless vanity and despair, built, without any foundation, in empty space, especially in the last two centuries; the renunciation of the old blind self-love which, by a dreadful example, was taught that every national calamity must inevitably fall on the heads of individuals; and then collecting together again the detached threads which, amidst all the confusion, are still discernible in our manners, sentiments, and institutions; joining new threads, where the changes effected in our relations render such a proceeding advisable, and thus reuniting the separate elements, and holding them together by these bonds in one entire whole; the introduction of new life into that which is no longer possessed of life, where possible, and the revival of the old animal spirits; the extrication of what is truly good, which lies hid under the rubbish of our public life, thereby effecting the restoration of a new Germany from the corruption of the old.

The other party, by which the above was immediately encountered, considered things

from another point of view. What, said they, have we to do with old Germany? What are these rags of old splendour to us? It may have been good enough in its day, as it was founded on the circumstances of the times in which it existed, but it is now gone for ever. How ridiculous the superstition which affects to idolize the bones of old heroes and saints! What do these knights want with our times? Their spirit is no longer among us, their castles lie broken on every mountain and hill; the old cathedrals are deserted, and another faith has found its way into them. These institutions and regulations may have been suitable for their age; but the rubbish and ruins of them, which still remain in society, are only a burden to us; and their parchments lie mouldering in our archives. In these remains we now see only predial slavery, violence, and superstition; feudal oppression, and the figures of a few great men, wandering about in the dark night of the middle ages, as in the shades below, whom no dead-offerings can conjure again into life. Two tremendous events, which also belong to history, the Reformation

and the Revolution, have separated them from us. Another people has since occupied the seats of the old, new in manners, sentiments, and ways of thinking, endowed with other rights and other necessities. Another world has since emerged from the flood, in the place of the departed middle ages. Forms become old; what is mutable comes and goes; but a new life is perpetually springing up with verdant freshness; and as the ages continue to flow, and the relations of men are in a state of constant change, every succeeding generation ought prudently to build in the manner which best suits its own necessities. Every present age must raise structures for itself, as it alone can know what may be useful and serviceable for it; and the house will be found most convenient if built agreeably to a particular plan. As old Germany is dissolved, things have returned to the primeval condition that existed previous to the constitution of the empire; a state of things with respect to which history can afford little instruction. But if you will take history for your guide, then let the Revolution be your instructor. The course of

many lazy centuries has been filled in that event in the period of a few years. The history of the world has there passed before your own eyes, and yet you have lived without reading it. Your own heart and your own senses might have enabled you to see and comprehend it, while the history of the middle ages appears before your eyes, like a pale nebulous speck seen through a telescope.

This contrariety, only in another province, is the very same which exists betwixt Catholicism and Protestantism, and therefore every man who in his modest enquiries has penetrated into the depth of history and of his own being, and has withal retained the plain simplicity of natural feeling, and a clear view, undisturbed by preconceived opinions and passions, easily recognises this contrariety in the inmost recesses of the higher and nobler parts of his own nature. If, for instance, it cannot be denied that every independent people, along with what is common to every other, possesses something peculiar to itself, which makes its appearance in its history and in every part of its being; and if,

moreover, every individual of that people possesses a character common to the whole, and as by the external bond of the same language he can communicate with all, his feelings and modes of thinking are equally connected by an internal bond of sympathy with them: then it follows that whatever each separate and purified peculiarity independently generates must necessarily be in harmony with that which history has produced in the whole community. This peculiarity will not renounce its connection with history, but will always act unconsciously under its influence.

On the other hand, the historic party will exclude neither the Reformation nor the Revolution from the history which they would consult; — because they are aware, that history, as a whole, is perpetually renewed in the history of each particular state; and that as the history of the Jews and that of the Greeks is under other circumstances that of the Germans, the English Revolution is, in like manner, that of the French. Both these Revolutions have cast up, as the most essential institution, a Commons House, for which, even in the middle

ages, an effort was also made in Italy, and at a more recent period in Germany, under the first Swabian Emperors; and it was chiefly because such a Commons House was not obtained, that the empire was worn out and torn to pieces in the revolt of Switzerland, the quarrels between the unions of the towns, and the princes and nobles, and afterwards in the war of the peasantry. As all the religious confessions centre in God, in like manner both these parties were connected by the idea of country, and they remained united so long as they retained this idea; and the enthusiasm which it excited in men's minds at the time of our liberation, continued to prevail, though the historical principle evidently preponderated, because it seemed the most inimical to the French.

But enthusiasm operates only by starts, and for a few moments in history. During the long intervening periods, the scene is occupied by passions and interests that continue to widen more and more the breach which, during the ebullition, appears slight and of little importance, till it reaches an extremity where every attempt to heal it

becomes impossible. The historical principle is a generality, which, in its wide extent, comprehends objects of the utmost diversity. If the better way of thinking had merely adhered to what was best in the remains of former times, the different interests might have found their advantage in this; and if the former inclined more to earlier and less corrupted times, the latter were more inclined to the more recent times, in which selfishness had yet a fresh root. But in addition to what was really valuable, every abuse, every prejudice, every thing torpid and dead, was called historical; and the period antecedent to 1806, in Prussia, found even its admirers, who called themselves the friends of the good old times. These parties were joined again by two classes, who, in Germany, easily find their way into every good cause, and soon become masters of it, namely, the visionaries and the pedants. The former, in their dreams of the middle ages, peopled them with the contents of the old books of chivalry. The latter again clung to all that was torpid and inanimate, would admit nothing as documentary but the dead

letter; and the book of Haller*, which, with much that is good and meritorious, contains also much that is erroneous, interpreted according to the views of each class, formed schools among both.

With this theoretical trifling, practical interests of a more powerful and irritating nature came into operation. Among the institutions still in actual existence which have reached us from the past ages, that of nobility was the one which possessed the most importance, and of which the influence was most immediately felt in public life. The nobles had, at the Congress, succeeded in obtaining a separate article in favour of themselves, declaring them the most privileged class in the state. As the territorial princes, at one time on an equality in point of rank with them, had now outgrown them, and both at the Congress and the Diet would concede nothing to them, nor consent to the smallest sacrifice, but contrived to attend exclusively to their own

* A Swiss author, whose writings are held in as great aversion by a large class in Germany, as the writings of Bonald are by the Liberals in France. *Trans.*

interests; these nobles in their turn experienced no wish to show themselves more magnanimous than those who were more powerful than themselves. They insisted therefore on what they in turn called their ancient rights, and explained the above article in the manner best calculated to promote their own advantage.

But when the period of execution came, and when their indemnification for the most part could only take place at the expense of the commons, the latter raised a violent opposition, and the old times on which these claims were founded became, on that account, an object of suspicion. When the long series of other privileges and demands, from the highest to the lowest, in all their degrees, connected themselves with the claims of the nobles, and when so many princes delayed the fulfilment of their promises, all this delay and hesitation was ascribed to the nobility who possess their ear. This, however, was not altogether just, for if there is any room for complaint in this respect, the courtiers alone ought to bear the accusation. In consequence of this constantly increasing irritation, the

past times could not fail to attract to themselves a great part of the aversion for which the present times were responsible, and, in the agitation that took possession of men's minds, history appeared to them only in the light of an armoury, wherein every absurd pretension, every tyrannical claim, and every brutal or more refined despotism, may find the armour necessary to its designs.

While Germany, from the complication of its relations, wore itself down in this manner, and prepared the way for a fresh convulsion, and a repetition of its former self-forgetfulness, France had speedily re-erected the stage which fell to pieces with the overthrow of Napoleon, and, instead of the grand tragic pieces derived from the times of Imperial Rome, grand civic-dramas, *Henriades* with the necessary addition of liberality of sentiment, and exhibited with the best *ensemble*, came now into vogue. There, in strophes and anti-strophes, ultras and liberals carried on a powerful combat: they divided themselves to the right and left in bands and parties, which, when necessary, advanced in a combined mass

against the centre, and thus separating one moment and uniting again the next, they besieged ministers in the court citadel. This drama, which was acted with spirit and dexterity, began again to amuse the Germans in the chagrin caused by their own domestic affairs. They immediately remarked, that the ultras were the very same people of the middle ages, who, descending from the north in their long and stiff cues, preached the cane and the cudgel, and predial slavery, the Prussian system and secresy, and whatever else had at home gladdened their ear with similar sounds of delight. The liberals again seemed to be pretty much like themselves, to entertain the same wishes, to suffer the same evils, and to combat for the same cause. Easily appeased, and soon forgetting old grudges, in the good-natured way peculiar to them, they soon began again to acquire a relish for the light French wines, sipping them at first with moderation, and with a feeling of bashfulness, and merely for the sake of forgetting their domestic chagrin; but gradually drinking them from habit, and pushing the pleasure to intoxi-

cation. When once heated, they began to become clamorous, and to take part in the conflict, first by their acclamations and encouragement, and soon afterwards by scuffles among themselves. Although the emancipation of Germany is partly connected with the condition of the liberals in France, as its repose and security are with that of the ultras, with their usual disinterestedness they did not hesitate a moment to take part against the latter, and put up the most fervent prayers for their complete destruction and annihilation.

When the French, so contrary to their expectations, found new shoots of friendship germinating in the hearts of the Germans who had returned from the crusade, whom they believed to be still filled with indignation on account of late insults, the old waning hope began to revive within them, and they determined not to suffer these good dispositions to pass unprofited by. They established in the *Times*, as well as in German papers, peculiar tribunes for the affairs of Germany; in which the Fox once more, though still rather vaguely, preached to the Geese, testified to them

their gratitude for their kindness, and sympathy with their welfare, assured the liberals of every assistance, and promised to do his best again for them after his own domestic affairs were in some measure arranged.

The courts of the west of Germany, with whose sovereignty the French liberality, which had become reconciled to Napoleon, was more compatible than the German liberality, which insisted on the unity of the country so much an object of abhorrence to them, in addition to the establishment of a solid liberty, gave free admission, under the French stamp, to that freedom of discussion which was a contraband commodity at home, smoothed the way for the foreign bride, and allowed her to be conducted with pipes and cymbals throughout the whole land. When the hills and valleys of the Confederation of the Rhine rung once more with the delightful notes of the voice which they so well knew, it was heard by the tribe who, when the tempest of the Lord passed over the age, buried themselves in the alarm of an evil conscience in holes and corners; and they now crept

forth to bask once more in the sunshine, and when they perceived the procession they joyfully followed in its train. The admirable genus of liberals, who pursue liberality as a fashionable elegance, which cannot fail to ensure them success with high and low, great and small, and who serve God as well as Belial, at once perceived their opportunity, and snatched it by the forelock. Others, who had carefully preserved the old ideas imprinted on their minds in their youth, through all the time of Napoleon's dominion, and who were thrown into some degree of perplexity on the breaking in of the new time upon them, soon resumed their confidence in the good old faith which had so often been exposed to severe trials, and their hopes began again to revive. Moreover all sensible men, and consequently the great mass of the people in many parts of Germany, who had obtained through the Revolution many really useful and suitable institutions, were not in the slightest degree inclined to exchange them for fantastic images and hopes, or for those other heterogeneous, antiquated, and

paralysed institutions with which they were threatened.

Hence it happened, that the second party gained ground in the same proportion as the former was silenced by the barbarous stupidity that displayed itself more and more every day. The progress of the second party was favoured by the number of practical men who, despairing of the possibility of ever extracting any thing good from the incurable disorder of Germany,—of ever gaining any thing beneficial from that still stagnant bog, overgrown with verdure, in which all the better part of former times lies buried under mud and putridity, now attached themselves to this party. Paris is now, therefore, once more on the point of becoming the capital of the liberal, as it lately was of the servile, world. As the courts of all countries formerly studied in that school, it now promises in like manner to become the school in which liberals are to acquire the lessons of freedom; and as the eyes of the popular assemblies in Smithfield are turned in that direction, the institutions of Germany must also,

it seems, be modelled after Gallic manners, peculiarities, and sentiments.

We, it seems, must also obtain similar courts and chambers of peers, appearing like a fortified camp in the midst of an enemy's country. The courts of Germany, who, casting their eyes in all directions, to their despair, found themselves in a friend's country, from the abundant seeds of hatred sown by them, and their artificial system of finance, have truly paved the way for such a state of things. We therefore must, it seems, content ourselves with the same parliamentary comedy, and gain similar Houses of Commons, which rest on no other foundation than the coteries of a capital and journals, and, in the midst of a despotism, extending itself through every element of the state, are the sole representatives of freedom. Perpetually oscillating between insurrection and subjugation, they continue, without ending, to repeat the same tedious farce, in which the opponents of ministers, who try to keep themselves in equilibrium by all the arts of rope-dancing, endeavour to drive them from their places, to fall at last themselves by

the same arts which they practised against others.

It is to be hoped, however, that the institutions of France will, in time, acquire a greater degree of strength and stability.

In that country important elements of public life have developed themselves, which ought to be held by us in esteem and honour, though belonging to a foreign nation, as we are now reconciled to it by peace. Above all there has arisen there a school, in which prudent, dexterous, and crafty statesmen are formed, who easily overreach and dupe the pale-visaged and timorous pupils of our sedentary and scribbling school. But with all this, little has yet been done for the internal happiness of the people. In the people of Germany are to be found germs of a very different nature, which will unfold themselves in a much more fruitful manner, if we do not, in blind self-conceit, despise the good merely because it is foreign, or in still more foolish self-forgetfulness, sacrifice what is valuable among ourselves to a ridiculous imitation of foreigners.

As these party-views were accompanied

first by ill-humour, then by discontent, and at last by the rage occasioned by the times; as interests of the most opposite descriptions threw every thing into confusion, and the most intentional misrepresentations were associated with the usual sources of misunderstanding; and as the suspicion which gradually gained possession of men's minds, poisoned and distorted every thing: then arose the dreadful perplexity of ideas characteristic of the present times, in which no man can understand another, and opinions run through all points of the compass, and blow from every region; and in which, as in the building of the Tower of Babel, the labourer brings mortar instead of stones, and wood in place of bricks, and from the confusion of tongues, according to the old joke, *sack* is the only word common to all.

Davoust, a foreigner, said in answer to a certain deputation, "There is no Germany now, I know only Prussia, Bavaria, Hanover, &c." The unity of the country has now become in like manner, folly in the eyes of one part of the nation, and high treason in the eyes of another. That it is

the province of the German to belong in beautiful universality to all nations, is the fashionable doctrine of the day. At once the Swiss, Jew, lackey, and prize-fighter of the whole world, he must never, if he would avoid punishment and severe reprehension, bestow a moment's attention on his country which he sees torn to rags. We may hang about our persons, all the baubles and gewgaws of other countries; but when our youth lately endeavoured to restore the old fashion and dress peculiar to Germany, this was censured and held up to ridicule as the most extravagant madness. When a number of German artists in Rome united themselves fraternally into one society, and, in order that, by their honest efforts, they might extend the honour of their country, endeavoured to revive the good old German school, this was immediately construed into mysticism, revolutionary innovation, and a return to the darkness of the middle ages. The court, to which, in their veneration for the old imperial house, they exhibited their works, disowned them in presence of strangers, whose malice was thereby amply gratified, and who made

both parties the subject of their derision; and in addition to this mortification, in all the German journals, they saw themselves abused by the zealots of protestantism and antique arts, and insulted by the counsels which were compassionately lavished on them.

The cross on the battle-field of Leipsic has been thrown down, and the act, as was to be expected, has found its defenders. As a new species of patriotism begins at every frontier, which it is to be hoped will soon be protected by special custom-house regulations, Saxony, of course, has an indisputable right to a patriotism of her own. They keep Napoleon fast bound to the rock, lest the old blind Samson should escape, and seizing again the pillars of the rotten European political system, bury himself under the ruins of the house on which Caphtorim and Philistines are seated. His institutions are still all of them in good preservation, his ideas held in high honour; his money only, with the addition of a little base alloy, has been recoined into small change. France guards with care the freedom which she received from us, while we,

for our reward, have carried back with us her old servitude.

What, at an earlier period, during the influence of our enthusiasm, was spoken and done by us, is now viewed as the venial sins of our youth, which we blush to remember. Those, however, who wish to live in the ideas of that period, who obstinately refuse to reconcile themselves to the subsequent changes, are chained like so many lunatics, till it can be ascertained whether they are yet capable of acquiring the flexibility which has constantly carried the others with an unabashed front through all their shame. These others, however, who are now at the head of affairs with the same justice as when they corresponded with the enemy, and betrayed to him every re-action against the slavery of the country, were impudent enough at a later period to justify their conduct by citing the *greatness of the times*.

In such a complete revolution within so short a period, the whole circle of ideas of the cautious Germans has necessarily been disturbed, displaced, and inverted. By one class every thing historical is viewed with

superstitious reverence; with another, every defence of rights is a revolutionary abomination. In such confusion all manner of opinions cross and succeed each other. No principle is firmly established; no bond holds the checquered world of thought together; there is nothing to connect the idea which was received yesterday, with the idea which will be received to-morrow. A short memory, becoming every day shorter, buries the past in happy oblivion. According to one party, the princes are all excellent throughout the whole German land, and every thing would be well were it not for a wicked nobility, the origin of all evil, who think of nothing but means and ends for re-erecting their dungeons to beset the highways as of old, and to restore club-law, (*Faust-recht*,) though without arms, to wield the clubs. According to another party, a set of jacobins have sprung up in the empire, who are plotting a subterraneous revolution, and after cutting all the princely and noble throats, then intend to establish a republic one and indivisible. The various estates, no longer members of the same body, refuse to act with each other; like

so many different nations they have taken the field against each other; their mutual attacks are carried on with all the bitterness of rage. Every one, according to his peculiar views and interests, fashions his own world, and the constitution which he thinks suitable, but no common axis runs through the various contrarieties. Following the example set by those in higher stations, no man will consent to any sacrifice whatever; and as all civil order is a giving and taking, and taking and giving, it is impossible that any such order can take place, where all wish to be takers, and there are no givers. In the midst of all this confusion the governments are in a continual state of oscillation, without counsel and without decision. The stars of heaven have veiled themselves in anger from their sight, the earthly compass is unsteady and deceitful, their policy is no longer in stead to them, and tradition has abandoned them. That which can help them inspires them with fear, that in which they place confidence breaks and falls to pieces, and remains powerless in their hands. The order of things to which they are attached, seems

pedantry to the age, and whatever possesses energy and volition, appears, in their eyes, jacobinism. Those, who with calm dignity and justice ought to have separated the contending parties, have themselves joined the ranks of the combatants, and having taken a part in the conflict, in the heat of the battle they will be trodden under foot with the rest.

It was natural that these dissensions of our distracted times should have a particular influence on our youth. If a new creating and organising spirit is really to arise from the past decay, it must necessarily be born in the new generation sent to command the coming age. Let the departing generation, on consulting the still small voice of conscience, rejoice when it can in the review of its deeds; let it weep over its errors, or labour with stupid obstinacy to defend its follies. The rising generation will advance with all the feelings of youthful energy on the stage of history. The experience of the past ought not to be despised by it, but it may justly waive its claim to the inheritance of the errors and follies of former times. It ought, above all things,

to take a keen interest in all public affairs, that, by such a preparation, it may strengthen itself for the work which it is called on to complete.

This summons our youth obeyed with honour, when they rushed forward to protect our new-born freedom, and, like the Curetes and Corybantes, with armed dances and brazen sounds, to conceal the infant Jupiter from the lurking enemy. On returning from the field, the universities received many of them into their bosoms, and fed with the pure milk of discipline their spirit, because strong and powerful. It is an absurdity therefore to complain of this natural developement; in guiding it, the wisdom of the old will alone be shown. If you have conjured up good spirits, why are you afraid of them? If they are bad whom you have summoned, then your mistake will only cost you your alarm; for, if you yourselves are pure, Satan, with all his angels, can have no power over you!

It was necessary, therefore, above all things, to appear composed and collected in the presence of these youths. But, instead of this, you manifested fear, and

thereby laid the foundation for much evil, both to yourselves and them. When the anniversary of the Reformation was celebrated, beside the bones of Luther in Wittenberg, the spirit of the Reformer ascended the Wartburg, where some hundred youths, actuated by a kindred disposition to his own, had assembled to partake of this solemnity, — enraged that the same Reformation in head and members, which he pointed out to the church, should be approved of, while it was refused to the state, when it was required by the sentiments of the age, thereby preparing a second terrible judgment for Germany. The proceedings of that day, characterised in general by dignity and decency, have been laid before the world. It is known also, that in the evening, after the example of the reformer, the symbols of the old servitude, and a number of books, of which a very few may have been improperly selected, but of which by far the greatest number had long been condemned and judged by the nation, were solemnly committed to the flames.

This act might, one would think, have excited the wholesome reflection, that the

same state of things, after a lapse of three centuries, had given birth to the same phenomenon. The errors which the ruling church then committed, might have been a warning lesson to those who now follow the same course. But it could do no good to break out into a blind fury against the symptom of this hidden disease; nor was it suitable to enter into a contest with these youths with respect to an act which was only important from the consequences which it was wished to assign to it. Instead, however, of calmly estimating the transaction according to its real import; instead of praising what was praise-worthy, and reproving with something like pleasant irony what gave rise to dissatisfaction; first-impressions, and the clamour of offended vanity, were allowed to carry the day; the world was filled with complaints against the unheard-of and audacious crime; investigations and embassies were set on foot, which all ended in nothing, and first awaked in these young people the idea of their great importance, and, at the same time, betrayed in a moment the whole secret of the weakness of the other party.

When the students, at the aspect of the dreadful condition in which the country had been placed by division, wished to banish this division from universities at least, and endeavoured to unite the provincial associations (*Landsmannschaften*) into one general association (*Burschenschaft*): if the governments wished to take any notice of this, they might, through the influence of those who possessed the confidence of the youth, have gradually contrived to manage matters so, that, as the provincial associations were equally founded in natural relations, they should not on that account be extirpated, but adopted into the unity, the diversity serving to excite the unity, and receiving tranquillisation in return from it. But it seemed as if the very idea of unity was odious. The becoming dignity, the moral worth, and the tranquillity to which the general union gave rise, seemed to be much more disliked than the contrary qualities which had hitherto characterised the provincial associations. The provincial associations were therefore countenanced by the governments; and thus it has happened, as an incurable separation took place between

them and the unitarians, that to the four sects now hostilely arrayed against each other, a fifth has been added, (especially as the harsh and clumsy manner in which the university of Gottingen * was treated, has scattered its provincial associations over all Germany,) and that our universities have become an image of the public confusion, in which unity, which ought to be in harmony with multiplicity, is now in conflict with it.

---

* Gottingen and Heidelberg were the two German universities in which the provincial associations were not supplanted by a general association. But Gottingen clung with most tenacity to the old system. This may partly be accounted for from what M. Goerres has said with respect to that university, and from the decided opposition of the Duke of Cambridge to the general associations. In former times, Germany was considered an aggregate of four *lands* or leading provinces, namely, Saxony, Bavaria, Swabia, and Franconia, and the students at the universities were divided into associations (*landsmannschaften*), taking their names from these lands. The university of Glasgow would seem to have borrowed the division of its students into nations, as well as several other peculiarities, from Germany. It would, indeed, be difficult to account for the division of Scotland into the four nations, of the Clyde, Rothsay, Lothian, and Beyond the Forth, on any other principle than that of imitation.

The youths who defended the system of unity, irritated at the opposition they experienced, enraged at the general persecution which they had to encounter, and the lurking suspicion that watched all their steps, and even converted the public exercises of boys in the *gymnasia* (*turn-plätzen*) * into an object of dread, they now betook themselves in some measure to secresy. As the condition of their country was the subject of their deliberations, and as, from the conduct observed with respect to them by the governments, they conceived themselves called on to introduce as speedily as possible a better order of things; that spirit necessarily developed itself in secret in them, which, when it came to be publicly displayed on some recent occasions, seemed

* In the north of Germany, plans of intellectual and moral improvement have been connected with public exercises. The universal diffusion of these exercises, to which has been given the name of *turnen*, (the German or Latin origin of which has been much disputed, though in all probability it is derived, as well as *tournament*, from the Latin *tornare*,) and the enthusiasm with which they were prosecuted, were attributed to the well-known Jahn.

wholly to deprive the governments of every thing like prudence or self-possession.

The conflict of the times soon found its way to them, and they had therefore to choose their side. To the minds of youth, history appears in a subordinate light; and with their own life their particular history may be said to begin. That internal sense which perceives the future in the past, is slightly developed in them, and their whole being may be said to be limited to a present existence, fresh, full, effervescent, and ungovernable, and which conceives that all that is to be is contained within itself. In the consciousness of so much fire and active power, they are not much inclined to stop short in their career, and to look around them to view the things which once were, and following therefore their natural impulse, they attach themselves in preference to that ideal party which endeavours to shape the world according to its own fancy, and, like the spider, is both the loom and the weaver of the web which is produced by itself. From their situation, the German youth considered themselves the representatives of their country, the chosen instru-

ments for effecting, in the struggle with the degeneracy of the present day, the restoration to the better order of things which once existed, and for vindicating the honour of Germany against the attempts of other countries. Belonging in this endeavour to the historical party, and sharing in its persecution, they were thus placed in a state of opposition to themselves, which they conceived might be most easily and simply obviated by going a step further back in German history than was taken by the reformation in the church, and selecting that period in the life of the people which corresponded to the stage of existence they had themselves reached.

That history was by all means to be honoured, was their opinion; but then behind history lies a state of nature which yet belongs to it: and now that all the ties of society are rotten, that all the estates of the empire are destroyed by time, that the powers and the families of the ancient nobles have become gradually extinct, a similar condition of things is externally returned, and a new constitution, derived from the freshness of nature, ought to be

established. This was a return to the *contrat-social*, modified only according to German forms. And as, a few years before, our youth were occupied with philosophical constructions of the universe, the constructing powers were now exercised in the arrangement of social relations; and after going through the various dimensions of the Constitution, their consideration was very naturally directed to the centering of all of them in a republic.

In the mean time the course of events was such, that no incitement was wanting to their zeal, no fuel to their passions. Madam von Krudener *, fantastical and extravagant in her devotion, but well-meaning, affectionate, and humane in her conduct, had been calumniated by priests, insulted by the different polices, and at length conveyed by a succession of brigades of gens-d'armerie to the frontiers of Russia, merely because

* The Emperor Alexander frequently visited Madam Krudener, when in France, and was supposed to be not a little influenced by her advice. A very curious account of Madam von Krudener, and of her intimacy with Alexander, was given in the *Rhenish Mercury*. *Trans.*

she not only prayed with the people, and announced the day of judgment to them, but also clothed the naked and fed the hungry. The Emperor Alexander then sent Kotzebue among us, and if the slightest appearance of enthusiasm throws the cowardly age into agitation and trembling, this man, who on his very entrance into the world in early youth, began with a capital of depravity equal to that with which other men, by no means deficient in that respect, usually end their career, and who afterwards might be said to become the king of all the vulgar, as he was the abomination of all the well-disposed, — this man was just such a person as the age wished; and, while censorships and tribunals watched every word which a regard for the welfare of Germany called forth against the pestiferous abuses of the age, he was allowed to set himself down in the midst of the land, and to deride with impunity whatever was dear and venerable in the eyes of the people. The intention of the emperor in sending him was in all probability innocent enough. He wished him no doubt to observe and explain the various movements of this country, a matter

certainly difficult enough to understand. But having made the most unfortunate of all choices for this purpose, it was hardly possible that an unfavourable suspicion should not attach to the object of this mission from the character of the person employed in it.

This suspicion received only too much confirmation, when Kotzebue, taking an unfair advantage of his commission, basely calumniated the most honourable men; and when, on the discovery of this wickedness, the severity of the law was not directed against the calumniator, but, however incredible it may seem, solely against the calumniated, merely because they had dragged the work of darkness to light. The irritation and rage became still stronger, when in the treatise of Stourdza*, originating perhaps in no evil intention, but avowed with the most shameless

* A memorial against the German universities drawn up in the views of the Russian government, and submitted to the Congress at Aix-la-Chapelle, which may be considered as the groundwork of the late measures of the German diet with respect to those seminaries.

Trans.

audacity, as official at a later period, the language held, with respect to the Germans and their institutions, was such as no people will willingly bear with from foreigners. The general disgust to which this treatise, and still more the visible impression produced by it on the higher regions, gave rise, — the rage at seeing the country, to which public opinion had long been in the habit of ascribing the annihilation of so many of our hopes and expectations, now taking such an unfair advantage of the weakness of Germany, and interfering in so barefaced a manner with its most domestic concerns, could not fail to be intensely felt by our youth, whose liberties, the last miserable remains of the state of things which existed in earlier and better times, were now attacked with such criminal audacity. Among such a number of ardent and susceptible young men, whose whole heart, and soul, and endeavours, were directed to our national affairs, it was hardly possible that a spark from the flames which had been so incautiously kindled, should not descend into the region of dark energies which surrounds the hu-

man breast, and spreading the conflagration, awake their sleeping powers from their repose; that the rage and indignation, which had been excited, rising higher and higher every day, should not at last boil over. In *Sand* the mound was first broken through, and it was natural that he should be the first victim of the devouring flood who laboured with the greatest assiduity to undermine its barrier. The youth took it upon him to write out himself the commission for the deed, and to execute it with his own hand. When his measure was filled to the brim, and ready to flow over on his head, he whom he sought was delivered into his hands. He himself, however, gave his own life as a propitiation to the enraged Nemesis; according to the ancient doctrine, that blood demands blood.

The deed struck the people like lightning. Since the years of our rising, nothing had taken place which they could comprehend; but what had long remained unintelligible, and struggled for meaning, now found a language. A bloody deed had again become the point in which the thoughts of all were collected, and opinion

was soon agreed respecting this event. Disapprobation of the act with approbation of the motives, a renovated feeling of the presence of eternal justice in all human things, a clear light thrown over the condition of the country, and a keen interest in public affairs, were the results of the general agitation which followed in a short space. Public opinion had passed a grand climacteric; a profound seriousness came over the age, which, up to that period, had entered into public affairs with less earnestness.

To this blow, which agitated men's minds so profoundly, another speedily followed, fearful and alarming from the very rapidity with which it succeeded. A young * man, to whom the Machiavelian system, in which his native province was entangled, had long been an abomination, possessed of a good-natured and composed but moody and close disposition, was also instigated by the bitter rage which burned within his bosom, to adopt the determin-

* Loehning *Trans.*

ation of tearing asunder the net by an act of violence. He selected the President Ibell, whom he considered as the author of that system, for a sacrifice. But to obtain, by an overbearing energy, a tyranny over the multitude, who, by legal ways, may defend themselves from slavery, even though means of an unjustifiable nature may have been resorted to, is by no means a crime deserving of death. A people can only enjoy so much freedom as they know how to deserve; and violent actions can never supply the deficiency of merit. This was the second error of the young man, in addition to that which he shared with Sand; and he atoned for both with his life. But the angel of death passed by the object of his attack. It darted, however, a furious look at him; and it is to be hoped that this look was understood. May the dreadful catastrophe tend to the welfare of his soul.

Thus then the destiny with which they had so long amused themselves on the stage, advanced with terror into the midst of them, when the levity gave place to alarm, and a profound dread of its obscure

power. Having renounced the God of Christians, the old Jehovah again descended; "a jealous God, a revenger, full of anger, and of great power, whose ways are in storms and tempests, before whom a devouring fire goeth forth, while darkness is under his feet, and who thunders with his thunder, and doeth great things, and yet is not known." The hour in which the first blood is shed in civil dissensions, and in which the first sacrifices fall, is a dreadful and decisive hour. It is the hour that gives birth to a whole ominous futurity, which takes its shape from the influence of the good or evil stars, at that time predominant. It is still a sign, therefore, betokening happiness, and a pledge that Heaven is still merciful to Germany, that the signal was not in this, as in so many other cases, given by cold and naked atrocity; but that an act of violence was executed in the error of the heart, by hands in other respects pure. The two-fold character of this act therefore leaves two ways still open for our choice, the way of light and the way of darkness.

But this has occurred to very few of those

who have publicly spoken of the deed; and thus we have here a proof how much the worldly prudence of the book-learned is below the sound sense of the people. That the deed was not Christian, has been decidedly pronounced by all our writers after Steffens; but God sometimes stirs up a heathen virtue to punish that Christian hypocrisy, which, while it concludes with levity the most unjust wars, wherein hundreds of thousands of men perish, bethinks itself only of Christianity, when the flames, which it beheld with delight from afar, at length catch its own roof.

The actor has been reproached with pride and arrogance in having with his limited and feeble powers, taken upon him the work of God and the magistracy. This is the just and true point of view for themselves and others who may long to commit such a deed; but to hold this language to the actor after the completion of his purpose, argues a disposition by no means over-christian. What would those who prefer such an accusation be able to answer, were the young man to defend himself in this way. "Thou speakest of pride; but take care lest thou be not

thyself possessed of spiritual pride, when thou exclaimest, I thank thee, God, I am not like this man! Thinkest thou that I determined lightly on this deed, the fearful responsibility of which I so well knew? Thinkest thou that God would so cruelly destroy, by a cold spiritual pride, a life hitherto led in purity and piety, so cruelly blind a spirit, in other respects enlightened, that it should no longer be able to withstand the illusion of a vulgar vanity.

"If thou knowest not the dark kingdom of the abyss which nature has closed, happy wilt thou be if to thee it should ever remain closed! All its dark powers has the mind conquered, and inclosed within that abyss. But deep springs arise in the heart of man, and flow into its darkness. All the passions throng around the entrances, eager for a passage, but, closed and sealed by religion and morality, they are held firmly down; and so long as the command of the gates is retained, the life above is gay and cheerful; but when crime, or the calamity of the times, has broken the seal, and burst open the gates to the kingdom below, then all manner of horrors ascend from the

gulph; like a whirlwind they burst from the abyss; they seize their victim with demoniac force, and the will alone is no longer able to withstand the dreadful power by which it is assailed. Night and all the furies of life ascend through the gulph, self-murder and every bloody deed. They sent to me the spirit which the Roman saw in Asia and at Philippi, and he conquered not without a hard struggle.

"But, who burst open the gates of the kingdom below? Who let loose all the passions? Who conjured up those furies? Who first poisoned all the springs of public life with hatred and suspicion? When the Romans took Edessa, the soldiers, as the old story informs us, plundering the temple, and greedily digging for treasures below its foundations, at length tore up the stone consecrated by ancient Magi with sentences and holy rites, that sealed up the abyss in which contagion was enclosed. It spread itself immediately over the whole of the inhabited earth, and at once swept away the third part of the human race.

"You speak of Christianity; but who first broke its power by making it a cloak for

avarice, and every base and wicked passion? Who still crucifies the Lord in his temple, and casts dice for his garments? With words I hear his doctrine frequently professed, but where are the works? I see the justice-seat surrounded with people demanding right and justice; but where are the judges? Hence the idle sword sprung of itself from the wall, and smote a guilty head. Therefore, and inasmuch as we are all sinners, judge your brother in mercy, that you also may be judged in mercy. Do what is enjoined you by divine and human laws, and then the abyss will close of itself, and I shall be the last victim whom it will devour."

Events of such a serious and alarming character could not fail to attract the keen attention of the different governments. They are seated at the helm of state, that they may guide the vessel through every danger. But the more furiously the billows heave, and the more violently the surges foam, the more coolly and self-collectedly ought the pilot himself to remain. If he wishes to guard against real danger, he must not tremble with apprehension at

the danger which is only imaginary; the uncertainty which perplexes the ignorant ought to be a stranger to him. With a sharp eye and practised hand, he should make even the raging of the element obedient to his views, so that uncompliant and refractory powers may even be conducive to his object. The more a government contains of the nature of the *primum mobile*, the less it will be affected by the oscillations of that which is moved. Viewing things from an elevation, looking down on them from the firmament, as it were, the extent of the field of observation, and the manner in which objects are shaded by each other, cannot confound it. By seizing the heads of all the elements of society, it can easily direct their movements.

There is an incorruptible conservative power in social unions. The same instinct which first led men to form them, watches incessantly over their preservation and existence, and no government is under the necessity of having recourse to wicked instruments to hunt out secret intrigues. If the government is any way deserving of regard, all the good will be in a sort of

secret understanding with it, and will not easily allow an atrocity which requires the concurrence of many for its execution, to remain in concealment. If government, therefore, wishes to command the great and public movements of society, it ought not to dread hidden attacks, more especially in Germany, nor to allow itself to deviate in the slightest manner from the course which wisdom recommends. A cool and steady attention will enable it to interfere with activity, when activity is necessary. It ought to watch the evil-disposed, till the disaffection *breaks forth*, in readiness to meet it, if possible; or if it fails in this, to visit the overt act with severity. The English government is a model in this respect. The Germans have hardly a conception of the first elements of such a system, and of this the late events which have taken place in Prussia, unfortunately afford a fresh proof.

It would seem, that either from the influence of locality, water, air, or some incomprehensible spiritual cause, the faculty of seeing spectres has for years been endemical in Berlin. This disposition was formerly

displayed in things of a more innocent nature, and gave rise to many a ludicrous incident. The government had long been disturbed by visionaries, to whom, however, after the history of the Wartburg transactions, less attention was paid. But enraged at the events of the late days of judgment, it had appointed a species of committee of safety, invested with the most ample inquisitorial powers, with a view to have some light thrown on these things. This committee, instead of coolly examining the obvious facts, when this was possible, and proceeding in the way of analysis to connect these facts together, and to form with them, and such secret particulars as should come to their knowledge, a skilful and consistent tissue of proofs, and thus rising, by gradual induction, from effect to cause, through a whole series to the first cause, if there were any such; preferred to this drudgery, so unworthy of their genius, the method of synthesis; and having assumed the subject of their search as an undeniable fact at the outset, and laid it down for themselves and the world as a dogma, or, at least, a postulate of pure

reason *, when they precipitated themselves from it by a *salto mortale*, to an enquiry into the nature of the reality.

Hence the existence of a grand extensive treasonable conspiracy, a crime deserving of death in every country; the centre of all the movements of the age, which had displayed themselves peripherically in these two acts of violence, was proclaimed to wondering Europe; and when, in order to connect the centre with the circumference, by means of proofs in the shape of fragments of writings, agents of the police were sent to all parts of Germany, in the certain expectation that experience would necessarily confirm the positions derived from absolute contemplation. But experience was very refractory with respect to the constructive metaphysics of the high transcendental police; at least all that has yet come to the knowledge of the world, is altogether insufficient to fill up the yawning gulph.

A constitution, originating in a debating

* *Pure reason*, a term in the philosophy of Kant. *Trans.*

society, of which a young man publicly avowed himself the author, which, if printed, would not perhaps have found a hundred readers, and in which, moreover, there can be nothing deserving of punishment, except an attempt should be made to introduce it by force; a small collection of jacobinical sentences and metaphors, for which Goethe and Novalis are partly responsible, and which might easily receive a twenty-fold augmentation from the tragedians of all nations; the expressions, as taken down by a student, of a man *, against whom no other charge can be brought than that in speaking he has never, perhaps, been sufficiently guarded, and that, in giving free scope to his eloquent tongue, he has always laid himself but too open to the designs of crafty villainy; a few daggers, of which one, worn in the period of the German costume, and inscribed *Ornament of the citizen*, an inscription which pious zeal construed into an exhortation, to ornament the citizen by murderous weapons; a few

* Professor Jahn. *Trans.*

fragments of letters obtained by search, in which young people poured out their hearts to each other, in all probability but too often filled with the most bitter indignation: — such was the miserable result, to obtain which so many acts of violence had been resorted to. Unable to comprehend how deeds such as those of Sand and Lochning could possibly be the fruit of solitary meditation, taking counsel only from itself, it was assumed as an incontrovertible position, that these deeds were the work of certain associations. Searching then for the heads and first founders of these associations, every man at all distinguished for his sentiments, became the object of suspicion; they were not aware that, with youth more especially, every man cowardly enough to endeavour to excite others to the commission of an act of violence, without taking any part in it himself, would for ever forfeit their honourable regard and confidence.

Thus public characters, honoured with the esteem of the nation, no part of whose conduct ever afforded the least ground for suspicion, and against whom there was not

even the slightest charge, were treated in the most insulting manner. Commissions were dispatched to examine their papers, on the ground of their being suspected of participating in criminal conspiracies. These commissioners, after heedlessly disregarding all judicial forms, and thereby enabling the world to decide as to the degree of deliberation with which they acted, burst with violence into houses, and then set on foot an inquisition into all papers, without exception, down to those relating to the most private family affairs; to perfect the character of which nothing was wanting, but a dissection of the living body, to discover the thoughts still remaining in embryo in their secret recesses. Young people, whose blood burns within them, to speak in the language of Shakspeare, were treated like cold-blooded criminals, and inquiries were instituted into sentiments, which had never escaped from the sanctuary of the breast, and into words uttered years before, which had never received any effect; and when all these proceedings led to no discovery, a most unheard-of maxim was resorted to, by way of excuse, namely, that

it was not conceived the searching for objects of suspicion, rendered those persons suspected who were searched; a doctrine which would deliver over the most innocent men a prey to every abuse of arbitrary power, whenever it might feel inclined to seek for thieves, where no thieves ever were harboured.

That part of the conduct of the Spanish inquisition, which has always been most bitterly inveighed against, is the striking its victims without naming their crime. What shall we say of a proceeding, in which the existence of a crime being first laid down hypothetically, in order to discover the perpetrators, every honourable man is arbitrarily accused of it; and according to which, if we could really suppose any thing serious in contemplation, the prince himself, in consequence of what he did, what he proclaimed, and what he promised in 1813 and 1814, must be condemned as the first demagogue of the land? But this mode of proceeding has already severely revenged itself on the actors. The world, after all these charges of conspiracy, persists in demanding the

proofs, which are no where to be found. All Europe, which has been called in to witness the deed, and to which traitors have been promised, waits to receive the guilty sinners, and they cannot be delivered. Truly, it must be confessed, if Prussia, since the war of liberation, has ever begun to conduct herself again with undue arrogance, her destiny has forced her to atone for it, by a most cruel humiliation. Perhaps all the most reputable men of that country will at length deem it necessary to unite for the purpose of rescuing a government, of which the good intentions manifested in so many other things certainly merited a better fate, from the danger to which it has exposed itself by such hallucinations, and in availing themselves of all the legal means at their command, in order to fix some limits to the madness of certain men, who, if, as they say, there are five degrees in the conspiracy, namely, those who belong to the gymnastic societies, students, those who wear daggers, leaders, and persons unknown; are themselves the very unknown persons of whom they are in search. Like the worthy citizen in the story, they have set fire to the house

to destroy the mice, and though with all these acts of violence, they have been unable to make the slightest discovery, their suspicions are not, on this account, in the least weakened, being fully convinced that their labours have only been unsuccessful, because they did not go to work with the utmost degree of prudence, and that they have been so unfortunate in their search, as not to stumble on the proper persons.

The people of Germany, who have been attentive observers of all these proceedings, were struck with one thing more particularly, namely, that while in all good and beneficial measures, which require any thing like a common co-operation, years pass away without producing the slightest result; on this occasion, a few days only were requisite to institute a general chace after conspirators, from Holstein to Freyburg.

These transactions could not fail to produce the most unfavourable influence on the disposition of the nation. In the violent irritation which prevailed, such an inconceivable blunder as this, was all that was wanting to complete the general dis-

gust felt by all men who had the honour of their country at heart, and to increase the discontent, hatred, contempt, distrust, and all the bad passions, that had only found too much nourishment in preceding events, to such a degree, that a problem, which four years ago might have been solved with the utmost ease, namely, the settlement of our public affairs, threatens now to set the utmost efforts of human strength at defiance. The ministers who met under these circumstances at Carlsbad, were called on to point out a remedy, where a remedy could not easily be found; and now for the first time, circumstances urgently demanded from the diplomatists, who had hitherto acted entirely on the negative principle, the adoption of positive measures, for which there is no preparation. Austria, in particular, seemed to call for this assembly with the greatest zeal. She thought it advisable to withdraw herself from the restless empire, for the sake of peace and quiet; but an intimate connection of so long standing cannot be shaken off on such advantageous terms; the gain cannot be all on one side, and

accordingly, after sacrificing all her popularity in this attempt, she is now at last seized with the most alarming apprehensions.

History sits incessantly in judgment; the French have been punished, and other nations in their turn have to answer for their sins, which they must atone for with fear and tribulation.

As the whole system was founded on a calculation that nothing would take place, now that something has actually taken place, and that we are threatened with still more from the future, the most distressing embarrassment has succeeded. A machine was invented, which has indeed proved itself admirably adapted for exciting all manner of hopes from its mere unwieldiness; but in the moment of alarm, when it ought to serve some purpose, it maliciously refuses to perform any sort of service whatever. No endeavour was ever made to bind even the slightest contrariety. Every species of dissonance has been allowed to increase, till it can no longer be cured. Nothing that pressed forward has ever been refused admission; all things

have been confounded together; and those which, from their nature, are the most opposed to each other, have been superficially reconciled; and, when enraged nature has at last revolted against a confusion, at the sight of which the head becomes giddy, they have deprived themselves of every means of resorting to any measure calculated to restore tranquillity. Every thing like intellect is neutralized by folly; every force is destroyed by an opposing force; every movement is impeded by a counter movement, so that all exertion must necessarily end in useless deliberations.'

If attaching themselves in appearance to the historical party, they should interpret the 13th article to mean only the restoration of the former corporate estates, in all the imperfection of latter times, such an interruption is altogether at variance with what has already been done in the way of constitution, or which it is still intended to do. The corporations in question have by degrees become extinct, and the historical party is by no means to be gained over at so cheap a rate; their sense is not to be sought for in the ossification of the last age,

nor will they lend themselves as a screen for arbitrary power in disguise.

A resolution may, no doubt, be adopted of deciding authoritatively with respect to the relations which first came into discussion in the chambers of Baden, and rendering the decrees of the diet obligatory on the chambers, without any concurrence on the part of the estates; but then, as every thing like a constitution would become a mere mockery, such a proceeding must necessarily give rise to a conflict between power and the nature of things, which, as the latter always turns out the strongest in the long run, cannot fail to terminate at last in its favour. If it should be wished to invest the diet with an executive power, the affections of the nation are withdrawn from this institution, which it has been accustomed to view in the light only of a provisional tribunal; and besides, it has not the slightest longing for the shadow of an emperor without a chamber. The powerful have allowed the favourable moment to escape them, and the opportunity which they neglected to seize, is now at the command of others.

What avails all the arts of diplomacy against the mighty natural power which disengages itself every day more and more in the nations? The first source of a stream may be struck by a horse's hoof out of the earth, but no human power will afterwards be able to restrain it in its course. The chambers even will come off victorious in the struggle for their right of influencing the decrees of the diet; they will constitute collectively the second chamber, and when once their powers are understood and admitted, it will become necessary, as a matter of course, in order to strengthen the collective executive power, to give a head to it in its concentration. This is the natural order of things, the progress of history, against which all the arbitrary power of man will be found unavailing, which no congress can arrest. The nation is impelled towards unity, and this impulse is like the growing of a tree, or the blowing of the wind; no effort can stop it in its progress. The means on which the depositaries of power may determine to further this work, will operate directly to further it; those which they adopt with the view

of impeding it, will indirectly conduce in their opposition to promote the same end, as they will serve to arm with additional strength the power to which they are opposed.

From the diplomatic art, which from the nature of things rests only on itself, there is no salvation to be expected for Germany, and hope and fear are, in this respect, equally vain. The lightning of heaven has scathed the German oak; its top has become dry and withered; the root only, which it has struck in the earth, and the ample trunk, still continue green and strong, and vigorous at heart, and must send forth new shoots. The power of nature, which once impelled upwards that luxuriant tree, in whose branches the birds of the air found a refuge, having attained the extremity of its range, and the vertical point of its curve, remained first stationary, and then changed its course, falling back within itself, and in its remission towards its source collecting its powers in all directions, in order that, renovated thereby, and re-invigorated like the boiling fountains of the northern island, it might again elevate

its branches towards heaven. Hence the whole history of Germany, for more than three hundred years, has been *one* continued withering, and *one* continued drying up; hence all our institutions stretch forth only naked and dead branches into society; hence all has become formal, rotten, injured by the elements and decayed; hence a spirit of corruption pervades our political edifice; as in old ruins we hear a gentle cracking in its walls and foundations, as if the tooth of time were perceptibly gnawing its structure; we hear the piles on which it rests giving way, the stones toppling down, the walls starting, which only indeed continue to stand from their being held together by the green Ivy that has wound itself around them. The mass, however, from some mysterious connection it still retains with the primitive rock from which it was hewn, and, continuing to exist with it uncorruptibly in a common natural life, in the course of thousands of years has not yet become grey, still remains sound at heart, and is susceptible of a new configuration.

In old times, when states reached this point, Providence made choice of the irruptions of nations as a means for effecting her purposes. By opening up springs from beneath, and pouring floods of barbarians over the dry and withered surface, the stagnant life was refreshed by the new blood which was infused into it; and the dry and faded was again clothed with a new verdure. But these fountains no longer flow with the same abundance since cultivation rooted out the primæval forests, and the plough-share has tamed the wild earth to a subjection to man. The same cultivation, however, has opened a communication with another world, which, by its mental energies, replaces the natural power, whose sources are drying up, and discharges its functions in the transformation of states, namely, that mysterious world of ideas, which, filling according to ancient doctrine, the infinite space of the kingdom of spirits, and like the ethereal heaven extended above our self-consciousness, pours down its light through all the clefts and corners of the lower world, and gives animation to all bodies and shapes. As, accord-

ing to the same doctrine, souls descend from that world to animal matter, lead a life in time here below, and then return to their eternal home; in like manner, the ideas which proceed from it, hold states together as being the peculiar emanation of their spiritual nature, bind and connect them in themselves by mental attraction, and thoroughly illume them with mental light; and thus bound in the just proportion through matter, and invisible in themselves, having, through matter, obtained a visible representation, promoting life as the inherent plastic and conservative power, they lose themselves in that medium by which they are represented. When, however, the course of this life has been run through, and the State has become old, it can no longer contain the inherent idea; that idea, which was before latent in it, becomes now disengaged and radiating; and, in proportion as it feels an affinity to the spiritual kingdom above alluded to, and attracts and draws down other kindred ideas to itself, it becomes more and more estranged from the existing materials; and thus the idea which was before conservative, becomes

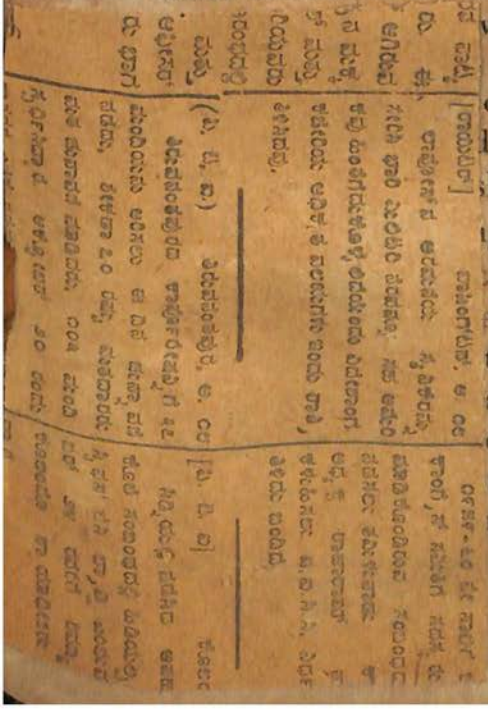
how destructive, and having determined to construct for itself a new edifice, bursts asunder all the bands of the old organization, to obtain space for the existence of the new.

And thus it happens, that in these times of transition, the mental lightning flashes throughout society which it convulses, and, in an instant, all heads are set on fire as if influenced by a general contagion. The manner in which the kindling thought spreads itself, whether by inhalation through a common and all-connecting medium, by language or by usage, or by some secret sympathy, cannot be known. All men, however, have become suddenly of one mind, and the flame spreads only the more rapidly the more endeavours are made to oppose it. This is caused by the mental spirit of the social union having disengaged itself. Freed now from its bonds the disembodied spirit of the social union roams about, and, like the cloven tongues of fire which appeared unto the apostles, descends on the heads of the organs of the age, and there dissolved in dazzling light, penetrates through the avenues of the senses into all

minds, to consecrate them for the newly begun work. Hence, of all follies, that of interrupting this great work of creation, and endeavouring to arrest the course of ideas, is the most unpardonable. No one ever yet conquered who engaged in this bold conflict. Let them proceed quietly with their task, and let us favour their movement, by dexterously endeavouring to aid it; and then unfolding themselves tranquilly, and proceeding by gradual metamorphoses, they will effect the new configuration and rejuvenescence. Stripping off only what has become useless and dead, they will then peaceably settle in the new structure. If, however, instead of imitating the practice adopted in the culture of bees, and by suitable and sonorous sounds affording only measure and harmony to their operation, they are clumsily disturbed and confounded; then the various instincts become furious and enraged, and a terrible tumult arises in the hive; a dreadful war of all the passions commences; every impulse is powerfully directed to violence and universal revolution, and a voice goes forth through all lands: let the sword of [illegible]

fall on the head of all who presume to oppose them.

To us, therefore, whom the course of the times has brought to such a point of transition, there are two ways open to our choice; either to enter into arrangement with the ideas in the peaceable manner above described, and allow them to settle without molestation in the midst of us; or to allow ourselves to be forcibly overcome by them, and placed by a Revolution completely at their mercy. It is impossible not to see, that hitherto the course of things strongly tends to the latter alternative; that the



which it is forcibly
age young again, is
of all kingdoms and
l magical herbs, and
sk fire it is constantly
ig over till the wished
has struck. The
e time reached the
they *are resolved* no
ach other.
ch singly have been
ise of insurrections
iely, grinding taxes

and duties, violent changes of laws and customs, the violation of rights and privileges, general oppression, the promotion of unworthy persons to public places; an oppressive want and decline of trade, the abuse of standing armies, and factions driven to despair,—have we contrived to crowd together in the present day; and no ordinary industry has been displayed in producing the present rare unanimity of discontent. Love and confidence have disappeared, and the whole system rests now solely on the instinct of obedience, which is deeply rooted in the human heart. But this also will at length be got over, for incessant complaints which never find a judge, and edicts wholly at variance with reason, summon men but too frequently to lawful resistance, which soon prepares the way for unlawful resistance, and for every species of self-assistance.

This bold game having now been carried on for a length of time, the thought of the possibility of a revolution has suddenly seized us. This idea has been received by both sides in a manner equally unbecoming; by the one with mental alarm, and by

the other in some degree with criminal levity. Revolutions are like death, at which cowards only tremble, but with which frivolity only would think of sporting. These catastrophes in history are of such fearful importance, and of such a serious and awful nature, that none but mad or desperate men would think of wishing for them. A revolution can only be the work of passions. Hence religion, morals, intellect, science, and experience, are all obstacles in its way. As nature in the most violent stages of fever, compassionately wraps the mind in delirium, that by its inspection it may not disturb the vital powers in their operations at that critical period; in like manner, in such a paroxysm, a people must be seized with madness before the disease can actually come to a powerful crisis. Hence at first it is found the easiest thing in the world to make the weak give way to greater talents, and all then wears a most promising appearance; for an unusual feeling of life, and a warm enthusiasm, find little difficulty in carrying through good and proper measures, and the first parties comprehend in

them the great majority of the well disposed. But when the axis, which holds together all the elements of the social union is broken, and every separate element follows its own law of gravity, the supremacy of what is mental, which is essentially measured and regulated, can no longer exist, and being under the necessity of gradually following the pathetic powers, the animal parts of man assert their right, and obtain the mastery in a time which essentially belongs to the dominion of physical power. Hence every following party must necessarily go beyond the preceding in every species of exaggeration; every one which succeeds in impelling an affair one step nearer to the extreme point, will of necessity precipitate and destroy the more moderate; the Protesters and Resolutioners, as in England, will be followed by Millenarians, who acknowledge no government; these again will be followed by the Levellers, who insist on an equality of property; and at last the Antinomians, who reject even the ethical duties as a tyranny; as in France Girondists, Jacobins, Cordeliers, drove out each other by turns; and as in

the Netherlands, the *Gueux* were succeeded by the Image Breakers; the madness of the former stage always appears cold indifference in the eyes of a succeeding one; till at length, step by step, the whole ladder of human atrocity is climbed, every thing existing precipitated, every thing solid dashed to pieces, every thing exalted razed, and every possession has changed its owner.

When Nature has exhausted herself in this manner in anarchical fury, the dominion of unity again succeeds as a necessary reaction. By this dominion the exhausted powers are at first easily constrained, but as the violent agitations of the preceding period have excited great contrarieties, and the most violent centrifugal directions, it becomes necessary to grasp the mass with more and more firmness. From one step to another, the highest degree of despotism is at length reached, when another opposite course of atrocity is run through, which terminates in some external or internal catastrophe. The circle being then completed, the extremities are again directed towards the centre. This is the march

which the English, the French, and every other revolution has taken. A German revolution would form no exception to this order of nature, as what a colder blood might perhaps mitigate, may be easily counterbalanced by spiritual beverages, as was demonstrated in the war of the Boors. In addition to the ideas, from whose agitation France underwent a complete change, we have one peculiar to ourselves, the influence of which was hardly felt in that country; namely, that of unity, and such an increase of the fermenting matter must necessarily give rise to a stronger fermentation. A German revolution would inevitably end with the expulsion of all the ruling dynasties, with the destruction of all ecclesiastical forms, with the extirpation of the nobility, with the introduction of a republican constitution. When it found its more fortunate Wallenstein, as every revolutionised people are necessarily a conquering people, it would then burst its frontiers and overthrow the whole of the rotten political fabric of Europe to the borders of Asia. But all this splendour, like that of the Netherlands at an earlier period, would be pur-

chased with the blood of many millions, with the destruction of half the rising generation, with the annihilation of the whole of the property of Germany, and with the devastation of all her provinces by a long war; and after all little more would be gained than may be obtained in a much cheaper way.

Prospects of such a nature cannot possess any attraction either for governments or people, or even for foreign countries which might be tempted to take advantage of the disturbances; and therefore all parties, if they listen only to reason, would prefer adopting the first of these courses. But things are not so ordered that any party may first try every other course, and indulge in every species of abuse; and then at last, when matters come to an extremity, may still have it in their power to adopt the wiser and better course. So long as the passions are yet under controul; so long as the wild spirits are still chained down, the voice of reason will be listened to, and the gradual transformation may be happily effected. But when events have once reached the brink of the steep preci-

pice, then all appeal is vain, all discourse is fruitless. It is as if we should attempt to reason with earthquakes and tempests. No one then stops to ask after consequences. The kindling spark runs along like a train, so long as it comes in contact with any thing inflammable, and blow follows blow, in proportion as the powers are let loose; and how quickly the fire spreads when the tinder is once prepared for it in men's minds, even without any concert or connection, has been exemplified in the risings against the Jews. Hence the more hollow the sounds which are heard along the deep, indicative of the approaching storm; the more loudly the mass is heard to rave, the greater the giddiness which has taken possession of the governments, and the more violent the agitation of the dark billows by which they are surrounded; the more urgent it is for the different parties to come at least to an understanding in one point; namely, to transform the vortical and fermenting movement into a flowing one, by which the danger which threatens to burst through all our dikes and mounds may be turned aside.

As the whole mass of the conflicting parties, from what has been stated, may be in the first place considered to form two leading divisions, of which the one is chiefly anxious to support that which exists on a historical foundation, while the other advocates independent substitutes for our present defective institutions, we should begin with an endeavour to reconcile this contrariety, the success of which supposes an equal honesty in each party, and which therefore could only be attempted with the better description of those on both sides. Supposing both parties to be sincerely actuated by the desire of mutual correction of views and opinions, an enquiry, conducted on such a principle, would soon show, that if justice were done to each party, the dispute would terminate of itself. It would be easy to convince both, that the various epochs and ages in the life of a people, in their succession, belong as necessarily and inseparably to each other, as the various institutions and peculiarities which subsist together in the same age. The latter form the *immanent* state, the former together form the *permanent* state.

Hence, as duties and rights are reciprocal, with the rights to which every succeeding age succeeded by inheritance, duties founded also at an earlier period must be associated. It would further be ascertained, that as every age has been endowed with nearly an equal measure of creative powers, though differently distributed in different ages,—as an earlier age cannot transmit to a later more than it possessed itself,—the creations are therefore to be estimated according to the measure of the powers employed on them. If later ages stand on a broader empirical foundation, an earlier age may in return have the superiority in every thing higher and ideal.

If we are but enabled to ascertain the nature of every species of activity by its fruits, then history will soon teach us with what fulness the period of the middle ages developed itself, and most of all in Germany; that from the same onyx stone, on which the Church was founded, the Gothic Byzantine imperial fortress, another Mont-Salvez, was hewn out and built around its minster; that all its institutions were framed with an intelligence, the deep sense of

which is obvious to the most superficial consideration, while the most profound cannot fathom it; and formed a union of powers harmoniously co-operating with each other, in one sound, energetic, and flourishing political body; that in the imperial laws a system of legislation was commenced of which no other people had even an idea; that its manners, its public and private life, its views and ways of thinking were consistent and connected; that in every species of art and poetry it can be exceeded by no other age; that even in its scholasticism, which has been treated with so much contempt, in the animated Gymnastics exhibited in its combats of philosophers and poets, before the eyes of a nation viewing them with lively interest, a mental acuteness, dexterity, and a power of discrimination were acquired far beyond any thing of which we are capable; that in all its proceedings, in short, in the fulness of its youthful creative energy, an animation and activity were displayed, of which we have scarcely even a conception: all this we know from history, and the ruins

which have come down to our times, bear loud testimony to the truth of it.

But if our age, in one of those fits of self-conceit with which it is frequently seized, should hold a discourse, in presence of the past, respecting its foundation, it would be placed in a very difficult situation if this mandate were issued: "Tell us what thou hast completed, and expose to us what thou hast formed and constructed, that we may award to thee the honour to which thou art entitled, and the praise which thou hast merited!" And if its poverty were then to be displayed before this severe judge, and the theatrical wardrobe of its virtues examined by its sharp and penetrating eye, the following condemnatory sentence would probably be pronounced:—

"Behold, thou hast, with an eloquent tongue, related thy deeds, and praised thy glory; and we have examined its quality, and seen that all is founded on vanity and nothingness. In no one thing have we perceived any traces of a real creative power in thee; the fountain of all truly formative impulses is dried up in thee; the still and

collected fervour which tends to preserve, thou hast renounced; in return, a devouring flame has entered into thee; thy whole being is destructive, and thy strength consists only in pulling down.

"I built for thee a Church, the foundations of which are encircled by the waters of the earth, while the clouds of heaven enveloped its towers; so firmly founded in itself, that though the ground yielded under it, the structure remained nevertheless unshaken for many centuries: but thou cast the fire-brand into it, under the pretext of separating from it all that was earthly and inflammable, and now the naked walls alone remain; the vaults have been driven in by the rains of heaven; the naked arches remain uncovered, grass and shrubs grow in the sanctuary, and birds nestle in the columns.

"Thy Germany have I girt round with a mural crown, as with strong armour; its knights defended the old fortifications; within all was life and animation; but thou hast broken open the gates, blown up the towers with the force of powder, levelled the walls to the ground, and employed the

materials for domestic purposes; so that the empire has become like an open village, guarded by custom-house officers; the embroidered imperial mantle, which embraced the whole, has been cut in pieces by the feudatories; and having decked themselves with the rags, they strutted about with them like so many negro kings, in the foreign state which they had purchased with the liberties of their subjects.

"With the savings of centuries, I richly endowed the church and state, to give them an organ on earth, that they might thereby obtain earthly consistency. The military estate, the communes, and even the incorporated companies, I also rendered independent. But all these immense possessions thou hast scattered to the winds in a few years: ideas having been separated from their real bases, now roam about like spirits and unessential shadows in society, driven about by the wind of opinion, to a dependency on which they have been reduced; and for all this thou hast not, in the whole extent of the empire, founded one monument calculated to descend to posterity.

"Thy presumption thou hast carried into the region of faith, and, measuring divine things by a human standard, thou hast drawn them down to the earth. The simple uncoloured ray of truth has, in the disturbed medium, been broken down into many colours, and rendered opaque; and what was once united, has rapidly separated into parties the most implacable towards each other.

"All the sciences, forgetful of their celestial origin, hast thou seduced through sensual charms, till, forgetful of their source, they have degraded themselves to unessential shadows in the world of appearances,—like the spirits of nature, the Gnomes, Salamanders, Sylphs, which are said to lead only a mortal life, without an immortal soul; and thus thy intellectual operations have become a coarse and sensual pleasure, and an artificial game with the atoms of the world of elements, and a masked dance of higher powers, shrouded in animal disguises or lower gradations.

"Thou hast separated the arts from their sacred destination, and made them the instruments of thy pleasure: without sub-

stance, depth, and signification, they have become children of the world, tributary to its empty, light-minded, and frivolous desires; and though music has occasionally soared again to higher things, the tinkling cymbals of folly, and the voluptuous dance, have been introduced into the temple of the Lord.

"Thy diplomacy is in theory and practice an absolute nothing, pursued through all the categories; a substitution of grimaces to the skill and dexterity which history demands. Thy art of government is idle scribbling, which has long been a stranger to every thing like nature, and separated from all tradition and experience; and which lives only in artificial abstractions. It runs after the shadows of empty theories, and from this artificial and imaginary world grasps from time to time at realities, which it only serves to confound.

"Thy politics have only been displayed in destroying: the great discoveries of which thou boastest in the affairs of the Commonwealth, are, in my eyes, no great matter; thy freedom and equality form only that relation of the elements of society towards each other with which every constitution

has begun; and are the play of chemical powers, which are alone efficacious in the lowest stage of the life of States. This anxious separation of powers, while estates, orders, and every thing truly organised by the impulse of nature, are run together in one mass; these two Chambers, in which the whole freedom of the nation has obtained a domestic settlement; all these seem to be but a poor reparation for the mischief which thou hast done. When I look at thy freedom, I see merely an emancipated slave which still bears the marks of his chains, and therefore perpetually oscillates between abjectness and liberty; when I consider thy force, I see only a powerless mannerly despotism, indistinctly divided between arbitrary power and liberality; when I look at the whole history of thy public life, I see nothing but a nauseous struggling between a timid self-will and a dreadful licentiousness, a mutual fearing and inspiring with fear, a fermenting movement without any result; a dishonourable veiling, covering, and lieing; a cloaking over and deceiving; a contesting without strength and dignity.

"Hence all thy proceedings are founded on mere phrases; and a tacit agreement, to deceive and be deceived, extending to the lowest occupations of life, is what thou hast extolled to us as thy worldly prudence. In destroying and forming plans alone, thou hast an undoubted right to carry away the palm from every other age."

Thus might the enraged past shame, with ease, that self-conceit which refuses to acknowledge its folly, and the presumption certainly deserves such a censure. Still, however, what irritation has here sharply and cuttingly urged, will admit of an answer, and, with a proper self-knowledge, and a calm and tranquil view of things, it would not be difficult for the subject of this heavy accusation to conduct its defence in this manner: —

"Thou hast indeed built a strong house for God and the Empire; but even hills, which nature has erected on the eternal foundations of the earth, have been thrown down and dashed to fragments, when the internal conservative life has been destroyed by age; and thou, also, must have founded

thy new work on the destruction of a flourishing part in a still more early antiquity.

"Am I to blame that every thing on earth has its times and climacterics? And that States, when their phœnix-period is run through, are impelled to consume their earthly part in the devouring flames, for a new regeneration?

"The dome of thy church towered up indeed to heaven; but the stones with which thou constructedst the work, are not dead masses, but free independent natures, which easily resign their will to the idea! —Is it my fault that they endeavour to regain their unpledged liberty, and that the foundations are now moving, and the elements hastening to unite in new shapes?

"Thou madest, indeed, Germany strong; but the power of gunpowder has burst the Cyclops' walls; and the invention of the monk was only the symbol of the dreadful mental power which began to develope itself nearly about the same time.

"Thy constitutions, resting on sensible ideas, on calm and fixed possession as their organ, have been swept away by a flood of

gold from a distant part of the world; the attack of money, which, moveable, fleeting, and unsteady as thought, has operated a transmutation in the old sinewy and athletic body, and introduced a plethora into the relaxed vessels, by which their activity was but too soon destroyed. — Could I prevent that which, when the time comes, is eternally repeated in the case of every man?

" When the upper extremity became dead, what remained still fresh in the organisation, must, according to the eternal laws of nature, have either absorbed what was dead, or expelled it, in proportion as it grew withered, or was abandoned by the inherent spirit. Thus the idea of the Emperor terminated before the external representation disappeared. Thus the Church, in its most spiritual organs, first became withered, and the spirit of the feudal system became altogether extinct. When the possessors quitted the stage, the property of course devolved to the survivors. The third Estate has obtained possession of the greatest part of it, and the endowment of what of ideas still lives, or will of new obtain life, is a charge on the produce.

" Spirits are winged: God has created them free; and they can, at their own risk, attempt whatever they please. Could I prevent them from at last using their right; and taking their flight from the secure, the safe, and warm nest of the mother? Is not reason, like every other possession, a gift of God? and is it an atrocity when it makes trial of its innate power?

" It is an error to suppose that faith only moves in a higher light, but that reason, a fallen spirit from pride, rules in darkness; pride is merely a temporal ruin. When pride broke into the church, the church became torpid in the re-action; reason, however, when, self-renouncing, it follows with honest endeavour and purity of spirit the innate impulse of freedom to the end, will then find itself at the place from which it set out, and faith and knowledge will, when correctly estimated, prove themselves the same. The dividing into parties is in the way to this end, and is the necessary consequence of every exercise of freedom. It is only when stone and steel come into collision, that the intellectual spark is elicited.

"No doubt all knowledge has become more comprehensible and sensible. The course of ages, descending from height to depth, necessarily produces this. The inferior organs of the State, the third Estate, having become flourishing, knowledge has in consequence adapted itself to this order, and become more practical, blunt, and vigorous. Sciences have become tributary to necessities, and arts to recreation. But behold the structure which my mind has been erecting for three centuries, planned like a farm-house; though Satan has conveyed many a stone for this building, it will, notwithstanding, be at last a house of God.

"Freedom is indeed still young, and knows not how to conduct itself; arbitrary power having, however, become grey and feeble from age, cannot reconcile itself to the hard choice between being and not to be. The old is not yet past, and the new has not yet become young. The mass is still raw, and flowing with difficulty, it will not yet admit of a pure cast. Hence all is merely a hissing and a conflicting, a shaping and a melting down, a forming and destroying, and I must

perpetually watch that the fire may not go down, and the boiling may go on quickly.

"Hence my whole being is one continued contradiction. When attraction and impulse deserted the internal powers, the old chaos in society returned, and I, a terrible destroyer, followed the old Creator. But, from death alone can come life; and the forming power of the world, when in the cup of Hermes the elements were first mixed, and when raving, fermenting, hissing, thundering, the powers displayed themselves in wild confusion, made many an unsuccessful attempt at creation, which are now inclosed within the hills, before the correct proportion was hit in the configuration of the work. Do not, therefore, demand from me the formation of any thing permanent at a single effort. Thou mayest interrogate futurity respecting my work."

If the former reproach was calculated to cast down an overweening arrogance, this defence again may preserve us from an excessive humility, and it will then be easy to find the correct middle course, where the past, which was once a present, is allowed

its rights, that the present, which will, in turn, be as a past to the coming times, is not even entitled to give up. For history consists of ages, and whoever denies an age, must deny all that preceded. In all ages, that which wishes to remain separate is destroyed. Every thing general, every thing which acts efficaciously and in the manner of interest in the mass, ought as such to be honoured and esteemed. Whoever would exclude this agreeably to the principles of a false theory, may be certain that he is proceeding in the ways of error.

The first relation in which the opposition of times and views is practically evinced, and which demands the above mediation, is that of the state to the church. According to the idea of antiquity, the church in the great community of the faithful, representing what was *ideal*, and the European republic in the empire, and the State in particular, represented what was *real*. Such is the relation, however, of the two spheres to each other, that the ideal in its nature is free, reposing on itself, master of itself, and transparent to itself, and lighted up by the ideas, which, like stars in their effusions of light,

reciprocally irradiate each other. The ideal again, from its nature, though surrounded by the former like the earth by the firmament, is, however, complete within itself, and within its peculiar sphere of activity, moves according to the definite laws of a natural necessity in a perpetual circle, and, in so far as it is subject to that necessity, it is deprived of freedom, and bound to its particular laws. Hence the one is certainly a symbol of the other, and the ideal precedes the real, as being the first in dignity. But in so far as the idea, in its natural side, is actually incorporated in the medium by which it is represented, in so far it has left the province of the ideal, and the latter must now consign it to the natural laws of the real sphere.

Thus the superiority of the ethical over the pathetical is by no means doubtful, and the ethical in its province recognises in no manner the dominion of the passions, and the dark side of man; but it at the same time renounces the exercise of any direct dominion in the province of the passions themselves. It can at most through the law of the beautiful descend so far, and

can only take on itself to order and regulate, as far as possible, the breakings out of the impulses of nature. Hence the Church is in rank the first, though not prevailing with exclusive rule. The State, however, in its more narrow province, determined by a multiplicity of earthly relations, possesses its particular independent autonomy, which the Church can consecrate, but cannot itself claim.

When the spirits of the deep ascend with audacity, when, like Ahrimann in the Persian mythology, they ascend to the ether, and veil and combat its stars, then what is threatened properly asserts its higher dignity, and forcibly precipitates the struggling enemy into the deep. This happened when, in the time of Henry the Fourth, the irrational *Hyle** revolted against the order of the world. The great man † was then sent whom recent times in their blind folly have so severely abused,

* *Hyle*, Ὕλη, a Greek word used by philosophers to signify elementary matter, i. e. the first shapeless matter from which the elements are derived. *Trans.*

† Pope Clement VII. *Trans.*

because with his lightning he cast down rising audacity, and preserved the freedom of the Church. In the violent struggle, however, according to the usual course of things, the other extreme took place, and the Church, arrogant from her victory, overflowed on her part her banks, and, in many things, arrogated to the succeeding Popes a supremacy in the temporal matters which came within the circle of its efficiency. This deviation again from the only correct and harmonious consonance, could not fail to excite another re-action, which attained its complete developement in the Reformation.

Since that period a political sect has arisen, which affirms the Church is comprehended in the State, and as the State cannot tolerate any equal, it must necessarily have dominion over the Church. Such a doctrine as this, which places necessity above freedom; which consigns what is mental to a thraldom under what is earthly, a thraldom Christianity freed itself from in the contest with ancient Paganism; which chains down thought, that ought, on the contrary, to give signa-

ture and name to all that is sensible, in the fetters of matter!—such a doctrine, though quite suitable to the spirit of this age, is yet in itself so humiliating and revolting, that this will surely become the critical point, when this spirit, which has now reached its extremity, will be constrained to cede the field to higher and more worthy views. A church which should be obliged to pay court to the German sovereigns, which, following in their steps, should divide itself into as many factions as the Commonwealth is at present divided into; which should degrade itself so far as to yield up the power over consciences to the humours, whims, common-place notions, and frivolities of courtiers; which should yield up its doctrine a prey to the wind of theories, to be blown about in every direction, would soon become the most contemptible of all institutions, as there would not even be a Diet to give an appearance of connection to the loose members.

If, therefore, in former times, the champions of freedom clung to the State when the object was to combat the real Napoleonism of the popes, in the present

disgraceful oppression of the Church its freedom and independence should be defended against the encroachments of secular power, and the idea should be saved from the bonds by which an usurping power has held it chained down. In the Catholic Church, therefore, we ought at present to reject every principle of *subordination*, and to allow only of that of the *co-ordination* of the temporal power with the spiritual; and the declinatory movement by which co-ordination has been transformed into sub-ordination, must be compelled to retrograde till it reaches the point of equilibrium, when the relations can then be fixed. In the reciprocal relations of both, a perfect equality of rights can only be admitted. The principle of Christian morality ought to be obligatory in this as well as in other cases, "As ye would that men should do to you, do ye also to them likewise;" as has been very ably and practically demonstrated by the Canon of Droste, in his publication on the subject of Church and State.

To reach this point, however, the Church must attach itself more strongly than ever to its unity, and present to arbitrary power

the close and firm phalanx of her hierarchy, against which it has more than once spent itself in vain. When it has in this manner obtained light and freedom, and the just endowment which the State still withholds from it, it will then, from the immense power of reproduction which belongs to it, soon perfect itself in a manner suitable to the age, and regulate itself by synods and councils; and in proportion as ideas acquire new life, it will again exist in all the strength of youth. Then will be the time for making head against any species of despotism which may possibly develope itself in the Church; for Catholic Germany feels as little inclination to submit to an ecclesiastical as to a political despotism.

The Protestant Church, however, which cannot retrograde in this sense without renouncing its character, has no other course left for it, but to terminate the Reformation in the direction in which it began, and to carry it to such an extent, that this power shall every where be vested in the congregation, as Sommer has admirably pointed out in his book "On the Church

in the present Age." The same relation in the way of universality, which the Catholics must seek in the way of unity, would then be restored. Ecclesiastical power would then be connected with the ideal side of each individual member of the Church, and from the internal division in human nature would be sufficiently separated from the real power of the State, of which the focus is by no means the same as that of the Church. All other divergent directions, either originating in preconceived opinions, partial views, or a prejudiced way of thinking, and called forth by any particular interest, or even by ill-judged good intentions, from their very confusion and nothingness in themselves, would enter into collision with each other, and cannot therefore be adopted by history, which merely acknowledges what floats down the main current of each of her movements.

These considerations lead us to the second great opposition, the foundation of another division in this age; that, namely, which exists between the *monarchical* and *democratical* principle; and with respect to which the great object is to ascertain and

determine the relation of the government to the people. Antiquity, guided in all its operations and creations by a correct natural instinct, (unconsciously for the most part,) formed and regulated a community of living organic individuals, according to the laws, and in the forms of organic life; so that the power of formation, advancing from the individual to the community, reproduced in it merely the type of individual organisation. We have here two sorts of laws, as it were, and two sorts of operations, and the same number of systems; namely, the *automatous* and the *arbitrary*. The former, in which the beating of the heart, every pulsation, and, in short, every movement of the inferior life is carried on, has in itself its separate rights and its peculiar order; it has its peculiar inherent soul, which divides its formative and conservative instincts among many independent organs, and has its separate and independent train of thought and connection of ideas; but which, however, are subject in it, as in a dream, to the laws of an universal natural necessity. The second, however, namely, the arbitrary, in which all the arbitrary

movements of the higher organisation are comprehended, is also subject to a higher mental supremacy; but instead of the former obscure instinct, a self-conscious contemplation, and a free self-determining volition, here regulates and determines all the different operations; consequently the movements do not take place in a circle previously marked out; they are merely mediately connected with external natural relations; these relations are therefore unconditionally subject to that higher arbitrary, which commands them in such a way, that the whole are accessible to it, even in the most minute details. Both systems, connected by leading intermediate organs, reciprocally strengthening and animating, preserving and giving exercise to, nourishing and inspiring each other, form a complete and free whole within themselves, which appears to us as the highest work of art of the creation.

The former, however, as we have shown, will have more of the nature of the real in itself, and consequently will properly be the prevailing element of the state; the second, however, standing nearer to the

ideal, will appear the new ecclesiastical element. In the Church itself, the former will contain more of the Protestant, the latter more of the Catholic character; but in the State, the one will represent the democratical, the other the monarchical principle. Democracy, from its nature, wilfully strives to depend solely on itself; it wishes to determine for itself as much as possible, and shuns every power that would assume a right of ordering and deciding from above according to general abstractions; it is therefore essentially dividing and dissecting; resolving what is general into the most minute parts, till individual personality, as last element of the commune, sets bounds to the division. Hence authority is nothing to it, and its own conviction alone the only criterion of action; the community has merely a power delegated from below; unity is merely derived from an unanimous multiplicity, and without this has in itself no ideal existence, and no power. The monarchical principle is essentially renunciation and self-deprivation; it ascends synthetically, by a train of abstractions, to the highest power, and con-

siders, descending again from thence, every thing subordinate as effluence of that unity which comprehends every thing within itself. Therefore the separate part here can maintain no existence in itself; it loses itself voluntarily in that whole, from which all the parts have emanated, and which holds them in a constant community; so that every one may exist in another, and every part which happens to be the organ of the whole may receive all its power. Hence the essential character of the monarchical, is belief in and obedience to that one universality, which has proceeded from the renunciation of every thing particular, and which has united the different ages historically, in one general living tradition.

Hence, as every youthful state must first develope its mental qualities, and take root in the sphere of nature, in the constitutions of antiquity, (more particularly in those of the Greeks,) and also in those of such parts of the new world as have attained independence, the democratic element predominates; and in the church the polytheism of paganism may be compared with the dissenting sectrianism. The

Greek constitutions were, in all their elements, as family, commune, state, thoroughly automatous, and the indispensable monarchical ingredient was added in an aristocracy, in itself, again, a more restricted *Demos*.

All these democracies were therefore founded in and preserved by an instinct for the most part acting without consciousness. The emigrating tribes moved along like storks, according to the natural impulse of birds of passage. Those who settled, built themselves habitations like beavers beside the waters, and sent forth colonies like bees. In the interior of the society every thing was regulated according to periods of nature, and according to cycles. Ascending and descending forces of nature were represented in the different powers. The divisions of the country were formed according to natural divisions; every where great types of nature were discernible. Even custom ruled like a physical force, and the bond of the state was a union of repelling and attracting contrarieties. Rome, internally constituted according to the same principle, bore, externally the monarchical

character, though still in the sense of antiquity, with respect to its great dominion. The provinces were essentially in a state of subjection; and Rome comprehended what was arbitrary in all nations within its own, as its Jupiter Capitolinus ruled over all the gods of a conquered world.

When the Germans, issuing from their woods, stormed the bulwarks of this empire, they also adopted in their state of nature more and more of the mental unity of the monarchical principle, which has now received, through christianity, its foundation in a higher world, and from thence received its consecration and delegation. When, therefore, the sword of the Franks had given unity and security to the whole of the west, Charlemagne founded the first empire in the spirit of the new Christian times. He himself, the first Prince by the grace of God, and the choice of the people, capitulated with the freedom of his Franks, and the other tribes subjected to him by their arms; and possessing great, noble-minded, and liberal, though at the same time intelligent views as to what the altered situation of the world demanded, honour-

ing the principle of the old Germanic freedom, and promoting every species of developement emanating from the people, he dexterously connected his sovereignty with the Christian-monarchical principle, which descended through a whole series of imperial office-bearers, who in war and peace received their powers only from the highest authority, and thus formed the first truly organical state, comprising within itself the whole man in all his physical and mental regions.

When, in the following age, the unity which had perhaps been too rigidly exercised by him in his long wars, weakened by various relations, lost somewhat of its all-penetrating energy, then the automatous principle, gaining always more and more room, ascended higher and higher towards the centre, and binding the multiplicity in an expon ntial series of unities constantly super-ordinate to it, till the last lost itself in the imperial power, the whole political body was formed in a gradation of organs declining in such a manner in dignity and importance, that the lower always appeared as the root of the higher. Thus the im-

perial officers, uniting with the democracy of the possessors of land in an armed aristocracy, formed the whole feudal system of the middle ages in its seven powers, and with its seven shields. The Emperor, as the highest unity, bore the first shield; the Bishops and Prelates, who were Princes, bore the second; the Lay Princes the third, the Barons and free Vassals were distributed under the fourth and fifth, and then the order descended through the * *Ministeriales* of the sixth shield, at last to those who were not bondsmen, and without being noble, could boast of a pure birth and a free possession, and who ranked under the seventh. Thus all the possessors having, as it were, resigned on their entrance into the State their personal freedom, as well as their Estates in favour of the community, in order to receive it again, secured and guaranteed by that community, they formed

* *Dienstmannen* in the original. They were a description of Vassals who held their fiefs on the condition of performing court services, in contradistinction to Vassals, properly so called, who were bound to perform military services. They are called *Ministeriales* in the Latin of the middle ages. *Trans.*

themselves in this seven-fold divided mass into a well-defended fortress of shields, for mutual service and mutual protection; and in the middle ages, all who had not a home, all who did not belong to these divisions, all who were reduced to subjection by force of arms, were considered as doomed to predial slavery, and condemned to a mild servitude.

In this sort of mixture of the two principles, Germany, in the middle ages, ran through its second brilliant period, and was elevated to the rank of Head of Christendom. But, in the progress of time, that democratic principle from which the whole organisation emanated, spreading always wider and wider, could not fail to destroy its own work. After Germany was no longer ruled by the powerful Emperors of the Swabian dynasty, while their dignity remained elective, that of the office-bearers of the Empire became hereditary, and the law of the strongest (*Faustrecht*) gained ground more and more every day. The unity of the Empire was soon lost in multiplicity. The second, and more especially the third shield, could not fail to acquire

more and more strength, as they possessed most unity. This increase of strength, however, took place at the expense of the Imperial power, which they undermined, and at the expense of the inferior vassals at the same time, whom they partly oppressed and partly gained over to their interests by corruption.

The territorial sovereignty was thus gradually developing itself, when the invention of gunpowder, rendering the military assistance of the feudal vassals less necessary, converted them either into courtiers or regular soldiers. The discovery of America having poured streams of gold into society, gave rise to a system of taxation which soon rendered the territorial rulers independent of the aid of the landed proprietors. The breaking out of the Reformation gave the finishing blow to the whole, as it reduced the Church also to a complete state of subjection. Thus the Empire became the prey of a multitude of petty and more powerful tyrants, who tolerated only the appearance of a Judge and Supreme Head over them, but in their

constant progress downwards buried and overpowered the democratic principle.

In order to effect this the better, the Centralisation-system, as it is called, was devised. Under this system the State drew every thing down to the most minute object under its management; the most trifling matter was managed from the centre; the police, as it is called, from its elevation, extended its discipline through all the members of the community, interfering even with the most private family concerns; and the Church itself was subjected to the degradation of becoming an instrument of this policy. But injured nature took a severe revenge of those who made choice of such an absurd system. These centralised operations required to be conducted by natures of a more exalted description than are to be found in the common run of men, and for the most part devolved on impotent instruments, who, as might be expected, were in vigour and knowledge below mediocrity; while from below, where all autonomy became more and more paralysed, isolated power could derive neither aid nor encouragement.

Thus, in proportion to the insatiable gluttony with which it devoured every thing that came in its way, in the same proportion it became feeble and impotent. When the machine happened to get out of order in any respect, the feeble spring on which the motion of the whole depended, was less able to encounter resistance, and to overcome the friction.

As all manner of instincts were every day rendered more inefficacious and blunted, and the impulses of nature less powerful, the whole economy of the state became an artificial work of the understanding, without life and without nature. When the possession of land gave way to money, and money to paper, all organical vital power became a piece of mere mechanism, operating within a particular circle, which had little or nothing to do with the actual world. In this manner states might be compared to animals in those physiological experiments in which their brains have been taken out, and the cranium filled with a mixture of zinc and quicksilver, when, on the application of galvanic stimulants

they rise, run about, leap, and exhibit altogether a dreadful resemblance of life.

While this system was in its full career of advancement, a re-action was forming itself in secret. This proceeded from the sixth and seventh shields, which were borne by the *Ministeriales*, and those who were not bondsmen, and were the children of lawful marriage, of whom the *Saxon Mirror** says, "as it is not known where the seventh world will end, so it is not known whether they can have fiefs or not," — but who, when their time came, began in turn to rise and advance in growth. Under the protection of this shield, the freemen assembled in the towns, in their different incorporated companies, and in the Hanse-associations these communities united themselves again in corporations of a higher order. At length an independent order of peasants was established by the Revolution of Switzerland. The influx of money increased the number of independent proprie-

* The old laws of Saxony exist under the title of *Saxon-Mirror*, (*Sachsen-Spiegel.*) *Trans.*

tors, and soon brought the greatest part of the landed property into the hands of the free Commons. Service in the standing armies gave them the honour of arms; Printing, the knowledge and science, which before had been monopolised by the higher orders; and the Reformation soon added the freedom of belief.

Thus the democratic element, in all its purity, grew up in silence, in the same proportion as the monarchical, grasping *extensively* at every thing around it, weakened and destroyed itself *intensively*. Disregarding the liberties of the Estates, the only remaining obstacle in its way, the monarchical element seemed to be on the point of swallowing up the democratical, when the violent re-actions which necessarily resulted from this course, gave a retrograde direction to the whole movement. In this way the Revolution in England, and the Revolt of the United Provinces, took place. In our times, the French Revolution gave to the democratic element in Germany the highest degree of tension, at the very time when the territorial system had, from the complete dissolution of the

Empire, attained its utmost perfection; and as the most extensive and most complete contrarieties are here ranged in opposition to each other, we may conceive the urgent necessity of some endeavour to harmonise them, if we would avoid those violent explosions which have broken out elsewhere.

If we were to compare the present internal condition of Germany, with any peculiarity in organic life, we should find in magnetic somnambulism, a most admirable coincidence with it. In this condition, the whole of the higher mental life has descended into the inferior animal life, and all independent volition has become extinct; the various movements no longer listen to the command of those higher powers above, but receive from below the direction of sleep-walking; all the senses are closed, and centered in themselves, and the mind sports in unreal visions, as in a glimmering reflection, after the departure of light. In like manner authority, in its attempts to spiritualise and separate itself from the whole of the inferior life, is thrown into a condition

resembling that produced by the highest degree of irritability, and becomes nearly powerless and deprived of consciousness.

As in the condition to which we have been alluding, the lower animal life has acquired an accession of all that has been taken from the higher, as new instincts have been awaked in it, a new sense has manifested itself in it, which, bound in another manner to the forms of space and time, looks with ease into itself, as well as into the surrounding world; in like manner, particularly since the great excitement of the war of liberation, the same concatenation of phenomena has been displayed in the third estate. All the faculties formerly possessed only by the higher organisation of the state, have been developed in the third estate; prophetical organs have opened and unfolded themselves in it; formative impulses, long dormant, have again awaked; a sense in the shape of public opinion has displayed itself in it, which guides all movements, even against the will of the public organs; which looks through all the social relations, and at the same time both perceives their peculiar disease, and assigns the means for curing it.

This common sense, however, renders it imperiously necessary, that the existing discontent should be tranquillised, by connecting the democratical with the monarchical element in such a manner, that the former may reach upwards to the monarch, stationed in his irresponsibility at the head of society, while the latter descends as low as the commune, which, as a distinct community of heads of families, forms the basis of society. In the middle members, however, both elements, regulated with due reference to each other, ought to work together simultaneously; so that the monarchical principle may always preponderate more and more as we ascend, while, in descending, the democratical principle may become always more decidedly powerful.

The communes, where such communes as the old Germanic are in actual existence, ought necessarily to be left in a state of freedom to perform every good and beneficial operation; their *Schöffen* * should be

* *Schöffen*, individuals chosen by the communes for the decision of petty disputes. *Trans.*

allowed, without molestation, to settle disputes; their magistrates and heads ought to be allowed to administer their internal affairs, and both should, by independent election, be chosen from among them in such a manner that as burger-master and bailiff or justice of peace (*Schultheiss oder Friedensrichter*) are the link which connects the monarchical element with the commune, their election alone should be confirmed by the government. As written law and tradition ought to serve the burger-master as a guide in his decisions, the law of the state ought to be the guide of the bailiff or justice of peace, and both of them in their property of heads of the commune should be fully independent, and only connected with the higher government by the means of this positive tie.

This tie immediately connects the judicial and administrative bodies with the above multitude of free and independent societies; and the bodies in question connect together on the one hand all these communal bodies into one system, and on the other hand, become the links which connect this system with the higher unity.

In this position then functions partake of a threefold character: — in the first place, *looking downwards*, they have a general superintendence of the administration of justice in the communes, merely however limiting the *abuse* of freedom, but interfering in no manner with the *use* of it; in the second place, looking *around them*, they have the regulation and disposition, within the determined and distinct circle of their activity, of the more general relations which come within that circle, not however with the same freedom as the communes, but still with a certain degree of independence, functions which ought, as far as possible, to be discharged in person; and lastly, with respect to *the higher authorities over them*, they are exposed to a still more rigid superintendence over themselves, than that which they exercise over those below them, and must yield unconditional obedience to the executive power in every thing that is legal and just.

These higher tribunals will therefore, with respect to those immediately below them, be in the relation of the monarchical to the democratical element, and hence in

proportion as they rise in the hierarchy of powers, they ought to be members more and more concentrated. The ministries ought to be regulated on the principle of offices or *bureaus*, the provincial administrations as colleges, but much more compressed than hitherto, as the estates would represent the collegiate multiplicity. Two of these collegiate bodies might be under one president, who, as a central point, might, through the intermediation of a prefect, be connected with the ministries. The provincial councils should be placed in the same relation to the administrations, and connected in various ways with the burgermasters and heads of communes. The same order of things has been proved by experience adapted for the judicial department. While the president, however, as organ of the higher body, and at the same time head of the inferior, may unite the Carolingian *Sendgraves* and *Gaugraves* * in his person, it would be better that in matters of justice a separation of authorities should take

* Village and district officers, who in old times exercised administrative and judicial duties. *Trans.*

place. The determination of the fact should also be entrusted to elective juries, but the application of the law only to the judicial authorities.

As all the office-bearers of the inferior orders should, as they descend, partake more and more of the democratic element, it is indispensably necessary, that in all the Provinces their particular laws should again be restored, in order that the peculiar relations of a Province may be adopted as the rule for regulating its concerns. All the office-bearers of the commune ought to be freely chosen by those who possess property and money in it, or, what is equivalent, exercise an independent industry, in order that the State may not be destroyed by the dominion of the mob, the government confirming the election as a matter of course; but the higher officers of justice and administration, down to the procurators and presidents in the different districts, should be chosen by the government from a three-fold list. The highest of all, however, should be named simply and directly by the executive power, which ought also to be empowered to recall them, whereas

the elective officers should only be removeable from their places by a legal decision.

To regulate the march of this host of office-bearers, and to harmonise the laws and regulations under which they act with the democratic element, provincial assemblies should be chosen for the more narrow circles of local relations, and an imperial parliament for the general relations, in order that acting on the ministries and ministerial persons, and acted on by them in return, and carried along and strengthened by all those automatous institutions in which they have struck their roots as in their native earth, they may give form and configuration to what may be advantageous to the welfare of the community, and what may be suitable to its condition.

In this way only public opinion deems it possible to succeed in recovering what we lost in centuries of confusion, and in solving for ourselves the problem which each of the various ages of German history has solved in its own way. Till the communes be again replaced in their natural independence, and the stagnating eddy be again converted into a current, it is im-

possible to revive the dead feeling of interest and participation in public affairs; it is impossible otherwise to waken those dormant interests with which the preservation of the commonweal is essentially connected. By their more certain and unerring activity in their particular spheres, the indefinite activity which grasped at every thing, however distant, will gradually be confined within its proper banks, and the diseased excitability will naturally become blunted and tranquillised.

A free communication of thought, limited only by the condition of truth in the statement of facts, and of moral equity in the expression of opinions, and of which the abuses are only cognisable by a jury, will keep up a mental circulation. And now, the Constitution, with all its institutions, being placed under the all-penetrating inspection of the whole community, the everlasting and altogether inadmissible controul of the central government, one of the principal causes of that excess of writing, which may be considered the great disease of all Continental States, will no longer be necessary. If each Board has its own parti-

cular limits, within which on its own responsibility it discharges its particular functions, and if these functions are discharged personally and immediately, as much as possible, this would remove another most prolific source of ruinous abuses. The people are now ruled solely by the lowest office-bearers, and the orders which they receive only serve to confound and mislead them. Impelled by the natural course of things, they are perpetually hovering on the brink of anarchy. The monarchy, therefore, in its abstract world, is either in a state of complete impotence, and can boast of almost no influence whatever in real affairs, or it is obliged to have recourse to rude violence and force. But instead of this loose-paper bond which now connects the monarchy with the democracy, let a truly organic bond hold together the various spheres in a living body, in which one member shall perpetually be supported by another, and both shall mutually promote the common welfare. Should the wholly unsubstantial formality of the system of government of the present day give way in this manner to a more substantial and

vigorous system, the monarchical principle would then receive the fulness and strength of which it is susceptible, and the governments would then cease to flit about like so many *ignes fatui* over a treacherous ground, approaching him who prays, and flying from him who curses them. By leaving so vapoury a condition, and entering into a fresh and vigorous life, strengthened by all manner of sound impulses, they themselves would become one with it, and then the State, animated by them, would again be elevated to a true organisation.

After the institutions which seem to secure the safety and tranquillity of the state, those which have reference to defence and protection, are next entitled to our consideration. The army summoned by the general bann, in the Carolingian times, assumed under late emperors the forms of the feudal system, which inclined more to the democratic; and an army formed in this manner, proved itself, during many centuries, well adapted for making head against every species of danger, and extended the name and fame of the Germans over all Europe. But when fiefs became hereditary, the army soon dege-

nerated into a Janissary cast. All the disadvantages of this system then began to be developed in it, and remaining, like a plant, inseparably connected with the soil, it could not fail to lose, in a short time, that external activity which is requisite for war, and it only retained that internal activity which disposed it to tumults and disturbances.

When the new mode of warfare was introduced, the military spirit of the nation threw itself unwillingly into the opposite extreme; and now standing armies were resorted to, in the institution of which the monarchical principles solely and exclusively prevail. Blind obedience is the only band which holds the whole together, and the peculiar and specific honour of arms, is the only impulse by which it is animated. But when experience had demonstrated the detriment, of which this extreme was in turn the cause; when it was soon shown that the same mechanism, in which the constitution became paralysed, extinguished every thing like mind and courage, and confined the attention to absurd military foppery, and the vain arts of parades; and, as in

both instances, the mind, deprived of all field for its exertion, lost itself in empty theories, without any commerce with reality, and practical knowledge and dexterity, were no where to be found, it was perceived that a re-juvenescence in the fountain of perpetual youth was become indispensably necessary. The landwehr system was then attempted. It was perceived that, as the system of standing armies had become general, and the whole art of war had taken its shape from that system, a necessary historical developement was, at all events, represented in it, and that an individual state cannot, without danger to itself, renounce an institution which, from its moveability, from its concentration, from its flexibility, and the harmony of its movements, can be operated upon by the governing idea, with an efficaciousness urgently demanded by the nature of things, which cannot easily be attained in any other way. Hence it is universally allowed, that so long as the present military relations exist, there is a necessity for continuing the army, the proper force of the executive power, the peculiar domain of the monarchical principle, and the representative

of the old warlike train of the prince; and that to give permanency to the idea, a fund for the support of this institution ought to be granted, in connection with the civil list.

But then to this army, in its nature essentially obedient, as a foundation for its existence, and as the basis of the executive power, there ought to be added the landwehr, in which the *democratic* principle essentially predominates. The warlike train is connected with the person of the Prince, and advances under his banner. From the nature of this force, as the complete renunciation of volition which it requires cannot be claimed, but can only be granted by a free determination, it ought in time of peace to consist of volunteers and free-recruits alone, bound by the oath of service. But the landwehr connected with the soil, destined for its protection, and merely bound by the civil oath, should consist of all those who have not passed from the protecting to the protected class, merely because they have become fathers of families, or have embraced a business incompatible with arms; and among those capable of this service, no other exception should be allowed

than that which necessarily results from an equitable appreciation of circumstances and relations. But as the landwehr is of a civic nature, the civic element ought to predominate in it. It ought neither to be trained in the minutiæ of parade arts, nor forced to practise them, but merely receive that degree of discipline essentially necessary for war. As the warlike train within its circle is bound by its own peculiar laws of discipline, and only by way of exception in the case of civil crimes is amenable to the civil law, the landwehr-man, on the other hand, is essentially subject to the general civil law, and ought only, as an exception, when under arms, to be placed under a strict, severe, and suitable discipline, calculated to preserve order and regularity, without extinguishing the independent feelings of the citizen. As in the standing armies, every movement is regulated by directions from the head, and all the appointments proceed from the supreme power, in the landwehr again the subofficers up to a certain rank ought to be freely elected by the body of the landwehr, the election receiving confirmation from the government.

In this institution, for which the present landwehr regulations of Prussia can only be considered as a preparatory trial, the knowledge of arms, like reading and writing, would be a general qualification possessed by all the natives. Warlike exercises would be one of the many civic duties we owe to our country; and were a commonweal actually gained, this duty would soon be viewed as a pastime; whereas now, that nothing remains of liberality, but its burdens, the hope only of a better state of things in future, renders it at all supportable.

When we have regained the exercise of arms for our youth, and a participation in public affairs for persons of mature age; when a high degree of strength and fulness has been communicated internally to the state, by the conservative powers introduced into its constitution, and when strength and dexterity have been given externally to the mass by warlike exercises, it might then be possible to revive, in modern states, a part at least of the fair proportion and symmetry which distinguished those of antiquity. It ought, however to be the endeavour of the Estates to

establish this symmetry between the formative elements, and the formative powers; to preserve it, when once established; to see that the balance may not be disturbed by pursy indolence and self-indulgence, or petty routine notions on the one hand, and on the other, to guard against indolence and early exhaustion of the vital powers, from the total consumption of their alimentary material by gymnastic exercises, as was the case with the *Athletae* of antiquity. — By a prudent exercise of their power over the public purse, they may set limits to the excessive increase of the warlike train in time of peace, while in war they can easily strengthen the standing army to any amount which the circumstances and relations of the times may render necessary, by determining the number of those who, under the banner of the nation, shall pass over to it from the landwehr.

We come now to the third point of dispute, which in these times has given rise to much animosity, namely, the relation in which the various Estates ought to be placed with respect to the constitution. Antiquity, in this as well as in other things, following unconsciously its plastic

formative impulse, without availing itself of a scaffolding of logical abstractions, commenced the structure of its constitutions upon the ground, as it were; and in this respect, the State developed itself organically in all its creations, in the order of a mathematical series, with constantly increasing exponents of the uniting members. In the remotest periods of antiquity, these different Estates were distinguished; The primæval comparison of the learned Estate, or order, and the whole of the priesthood to the head, of the defensive order to the arms, and the productive order to the body, or rather to the internal vital parts, prove that the State was then viewed as a living organisation, and that the various parts of the community were considered as having a relation and adaptation to each other.

This division, originally founded by Nature herself in the diversity of races, was first introduced in those constitutions, which were founded through the superiority of the sword over a mere vegetative life, and a like superiority of the mind over the sword. The noble races, whose victories enabled them to found these states,

endeavoured to preserve the purity of their blood by strictly separating their casts from the rest of the community. Their rights and possessions were transmitted by inheritance from generation to generation. According to law and custom, the different casts were not entitled to intermingle with each other; but when any departure from the rule took place, and various half-bloods were produced by the mixture of casts, the limits and functions of each of them were again strictly defined and circumscribed.

Christianity, by proclaiming the equality of all men before God, and by choosing its first organs from the lowest classes, sapped the foundation of slavery, and the system of casts at the same time. As all those who had been without rights were admitted to a participation of rights, the casts were first changed into estates or orders, in which an inclination was originally manifested to adhere to the former rigid system of exclusion; but as the ideal spirit of the new faith and the new manners to which it gave rise began to gain ground, these unions were gradually compelled to relax their exclusive principles, and to open their closed ranks, and thus the lines of separ-

ation were gradually lost in a general indefiniteness. The estates of the European Republic of the middle ages, though originally founded, like the old casts, in the right of war and conquest, did not, however, like these casts, form various tribes, who, having erected their *Stem-Burgs* * at various heights, from the lofty summit down to the marshy bog, must, in a rapid overthrow of privileges and distinctions, pass from the overweening pride of the godlike regenerate to the lowest depression of those whom God, in his anger, has doomed to a state of reprobation. Christianity has reconciled these cutting distinctions; it has mitigated the transactions, and softened the claims of power. By acknowledging the spiritual equality of birth of all men, and by declaring the lowest of the people to be regenerated by baptism, it has drawn the divided parts nearer to each other. A

* In Germany, the Burg, or fortified residence occupied by the founder of a particular family is called the *Stem-Burg* (*Stamm-Burg*) of that family. Thus, for instance, the Castle of Hapsburg, in Switzerland, is the *Stamm-Burg* of the Austrian family; and the Castle of Hohenzollern, in Swabia, is the *Stamm-Burg* of the family on the throne of Prussia. *Trans.*

common bond of love has connected them together in one community. Various hostile souls no longer dwell in one body; but rather various faculties of the same soul, which is merely impelled to display itself in different ways in different members.

Hence the *learned Estate* was essentially the preserver of all divine and human wisdom, propagated by tradition from age to age. It was the possessor of the whole of the mental property which circulated in society. It represented in the State the *Logos*, the regulating principle which, from its height, gave order and proportion to the irregular movements of the lower world; and hence the *reverend* was its attribute.

The defensive Estate, in the middle and central part of which the Prince had his portion as prime mover, took its station as the protection and rock of safety of the social union and of the throne. The strength of the whole was supposed to be united in this Estate: courage was its essential character, bravery its instinct, honour its inheritance, its sword the perpetual protection of the feeble. According to ancient doctrine, it was the *Thymos* in

the social union, and its attribute was *honourable.*

Finally, in the *productive Estate,* the children of the earth fixed on earthly objects; occupied with the management of them, collecting their treasures by the labour of their hands, and conducting the circulation of property from the base to the summit, and from the summit again to the base, constituted the *Epithymia* in the State, and *honesty* in dealing, and in all its proceedings was its characteristic.

As the productive Estate is essentially moveable, moveable property perpetually divided and perpetually re-collected is its possession. As the learned Estate, however, from its nature, must be contemplative, and essentially tranquil, its property ought to be placed under the security of a divine interdict. But as the defensive Estate occupies the medium between the moveable and the tranquil, its domain by the feudal system was placed in a relation to it, which fluctuated between the permanent and the moveable.

In the same feudal system, nobility, which has its portion between the idea and its real representation, is also divided

between the democratical and monarchical principle, which are united in the aristocracy. And as the aristocracy was divided into seven shields, the hierarchy of the church, which is essentially monarchical, was also divided into seven shields, namely, the pope and his presbytery, the archbishops, bishops, archdeacons, deans and priests, and conventuals. Of the last of these, the conventuals, as in the case of the free-born men of the seventh shield, it is difficult to say whether they belong to the episcopal hierarchy, or whether they do not form a class by themselves.

As however all consecration and authority descend in the other estates, in the productive estate all dignity and all right are centered in possession. In states essentially democratical, or which, on the occurrence of any disorder, struggle to become democratical, the same disposition to split into a sevenfold division has been manifested. The patricians, merchants, incorporated and unincorporated trades in the towns, the members of communes, (*Einsassen,*) and persons residing in, but not entitled to a share in the property of the commune (*Hintersassen*), in

the country, with the persons who have no fixed homes, form, in like manner, seven distinctly marked gradations.

When later times began to introduce a representation of these different estates, by way of controlling the territorial power, the fundamental idea adopted on that occasion, was the adding the learned estate to the productive and defensive estates, in order that if a conflict should arise between rights and interests, and power and claims, which two parties could not possibly settle, a third might be present as a reconciliatory power, related to the one by its dignity, and to the other through the ecclesiastical communion, and qualified to decide with impartiality between the contending parties.

A still more recent time, struck with the various deficiencies which were exhibited in the carrying these ideas into actual execution, has set forth another doctrine. This scaffolding of various states, it is said, founded originally in force, and the advantages taken of simplicity by cunning, is not merely useless but dangerous; and this ascending by powers, though it may take place in nature, is for society, which

consists of elements of a description altogether different, wholly untenable, and can only have the most prejudicial influence on its developement. As Christianity has established the principle of the complete equality of all men before God, the same equality ought to be recognised by the state and the law. What is spiritually true, will not be found really untrue, in a corporeal point of view.

On these pretended rights, first usurped by overweening power, and afterwards handed down by inheritance from generation to generation, time itself has gradually taken a severe vengeance, and thrown down the fences which mere convenience had arbitrarily erected. The ecclesiastical professions have long ceased to be the exclusive property of the priesthood. All the Estates have participated in the honour of arms, and the productive Estate has long ceased to recognise the obligation of burdening itself with all the toils of life for the mere consumers. Nothing can be so foolish, therefore, as the anxious wish to retain these artificial limitations, after they have been broken through in all directions. The distinction too between the industry of towns

and the industry of the country no longer exists. The restraints and limitations of corporations are still more ridiculous, as every man ought to have the liberty of following that branch of industry or trade for which he is qualified. Moreover, what can be more unjustifiable than the *privileges* of the nobility, which in themselves are necessarily an infringement on the *rights* * of others? The claim, too, of the clergy to control freedom of conscience, is

---

* *Rights* and *privileges* are in German *Rechte* and *Vorrechte*. But to a German the word *Vorrecht* conveys a more odious idea than privilege does to an Englishman, as it distinctly denotes that the individual possessing it has *more* than his right, and consequently that he possesses *part* of the right of others. The German being an original language, presents more powerful and distinct ideas to the mind than any language not formed from roots within itself can possibly do. In the latter case, the compound words, having no primitives to give clearness and permanency to their meaning, are perpetually changing their signification. Thus, the word privilege, which originally signified a law applicable to individuals, has since received all manner of significations, and is at present used at one time in the sense of *distinction* or *advantage*, and at another in the sense of *right*; but the German word *Vor-recht*, containing, like the English word water-mill, for instance, a fixed definition within itself, cannot change its meaning. *Trans.*

ridiculous in the present day, when the ideas on which such a constraint were founded are annihilated.

No mediate body ought therefore to be interposed between the Prince and the people, which, adhering to both by turns, is thus constantly enabled to extort new favours and privileges, and to gain a footing at the expense of both. But if the contest between this avaricious aristocracy and the people were once at an end, the mediation of the clergy would also be completely superfluous. Every fence of property, confining that which from its nature ought to be perpetually fluctuating, to a dead hand*, is therefore a robbery of the community, and the unnatural restraint cannot be too soon broken through, that the consecrated estates may again enter into general circulation, on which, like the circulation of blood in the body, the support and strength of the state is dependent.

Let this moveability of possession be therefore, in all time to come, the only basis of the community, and no other rule of possession ought to be allowed. Let property in land, therefore, be the demo-

* Mortmain. *Trans.*

cratic element, and property in money the monarchical. Let there be no *domains* in the state which belongs to the people, and let *taxes* alone be allowed, so that there may only be monarchical institutions in it, commanded by money, in the manner of their payment, and democratical institutions secured in the liberated land. Hence, let there be only a prince in the centre surrounded by office-bearers and soldiers; but, in the periphery, let the people remain in possession of the whole mass of property.

That the centre, however, having no firm basis, but remaining suspended merely over the community, yet containing, at the same time, great elasticity in a narrow space, may not violently disturb this state of things, firm and secure in its basis, but spread over a wide extent, let a representation be appointed. This representation should not be connected with any corporation, any general fantastical idea, any moral personification, not even with any territorial division, province, county, town, or borough, as in England; the number should be regulated alone by property, and measured according to the number of those capable of voting.

Such a representation, which does not, like the Feudal Estates, represent casts merely, but the whole community, will serve as a counterbalance to the weight of the office-bearers, and the collision between these two powers will serve to elicit what is most advantageous to the public.

It is easy to perceive, that the character of this system, as it is founded on the conflict of opposite powers, is altogether physico-mathematical. Although, therefore, in the order of history, it is an actual advance, when considered with reference to its real value, as contrasted with the former organic system, it is a retrogression. The explanation of this contradiction must be sought for in the character of the age, which should be viewed as a period of transition to another, when what has been destroyed shall be reconstructed on a broader foundation and with a higher elevation. The powers, therefore, which are by their conflict to determine the equilibrium, are altogether earthly powers. The specific egotistical power of landed property, which, like gravity, inclines always to its own centre, and to its peace and security, is placed in collision with the universal power of money, which, in

perpetual *systole* and *diastole*, rushes from the common centre to the extremities, and from the extremities again to the centre, and contending with individual obstinacy, guides it against its will into a distinct and definite course.

This course, however, when, by the fortunate balancing of powers and counter-powers, it has been at length found, can only be steadily pursued during the continuance of the equilibrium, as to which we can hardly calculate on the influence of any moral powers. On the preponderancy of the one principle, it will run eccentrically into democracy; and if the other prevails, it will run concentrically into despotism. Such changes may be introduced with the more ease, as the nature of the representation brings the opposite powers, which have been collected, as it were, in two *foci*, close to each other] in the chambers. The democracy chooses its officers with as much freedom as the Prince his officers: its will is as much concentrated in its deputies, as that of the Prince in his ministries. As the soldiers of the Prince are numbered according to their regiments, the electors are also numbered in their own

service; and these two hierarchies rise and fall like the orders in the decimal system. In the conflict of the two powers, depending on the Prince's and the people's favour, the friction when the oxygen comes into contact with an inflammable substance must necessarily kindle a violent flame.

This catastrophe antiquity endeavoured to guard against. By admitting, for example, in the incorporations of trades, something of the monarchical element into the democratical, it could push this automatous principle in the corporation of nobles as far as the throne; and by the interweaving and uniting the opposite powers throughout the whole political body, their edges were blunted. The rays which, when collected into one focus, produce a violent flame, when distributed over the whole society diffused a mild and agreeable warmth.

The lawgivers of that age, not guided by abstract systems, but rather moved, like the poets, by inspiration, in the fulness of a sort of an instinctive formative-impulse, in addition to the mere *quantitative* bodies, founded on number, as freehold, tithing, hundred, district or province (*gau*), and duchy, and which, as they belong to the

original forms of the constitution, are the only bodies which the present age will acknowledge, admitted also *qualitative* bodies, founded on internal specific and higher differences, into the various Estates. Their constitutions, removed from the province of mere chemistry, were actually elevated to that of a higher movement of life. Instead of that political Brownonianism which would merely acknowledge the relation of two factors in life, and subject it by turns to a state of *sthenia* and *asthenia*, a truly organic view of the phenomena of life in the political body was entertained. In this view, the political body was composed of systems connected in many ways, displaying their innate powers in many different directions, and internally softening every collision of a more severe nature by a continual gradation of members.

They were very well aware, that by thus increasing the number of bodies by an ideal series, along with the general interest, which, like the feeling of life, pervades the whole, they created a number of particular interests, which might easily come into a destructive conflict with it; but they were also aware that in conflict alone all life is

produced, and that if the higher connecting love is not wanting to the community, the dissension will always be tranquillised before it ends in a total destruction. They knew also, on the other hand, that impulses of nature, which form interests in society, are not necessarily annihilated, because they have no organ in the constitution; and that it is absurd to suppose, that in a general corporation the particular faculties would remain dormant and inactive, if their existence were not recorded in particular institutions.

They were also well aware that the principle of universal equality, once acknowledged for ideal relations, must, to be logically consistent, go back to an Agrarian law, and can only remain tranquil in a decided democracy. In the Florentine history, the inferior nobility first mastered the higher; the inferior nobility were then expelled by the corporate companies; these were attacked, in their turn, by the half incorporated *; and they again were com-

* *Halbzunftigen.* By this the Author must mean the inferior trades (*Arti Minori*), of which there were 14 in Florence; the number of superior trades (*Arti Maggiori*) was 7. *Trans.*

bated in a furious insurrection by the rabble*; and at last, after all order was dissolved, this free State was left a ready and easy prey for any tyrant. That tyrant soon arose in the person of the first Medici, from the midst of the third Estate itself.

In like manner, according to the notions prevailing in the present day, the privileges of towns will appear to the inhabitants of the country an intolerable tyranny; and as the freemen of corporate towns do not amount to half the number of the country people, they will soon be overcome and driven off by them. In the progress of things, the villages, towns on a small scale, will become odious to the old Saxon *Friborgs* †; and the exclusive possession of

---

* *Heimathlosen*, literally *homeless*. The Author must allude here to the *Tumulto de' Ciompi*, an insurrection commenced by the persons employed by the woollen and other manufacturers, on the pretence of insufficiency of wages. *Trans.*

† The Author here supposes the *Friborg* or *Freeborhg* to have been a smaller collection of houses than a village, something more like a hamlet. La Spelman, Somner, Du Cange, &c. on the authority of the 19th Chapter of the Laws of Edward the Confessor, it is stated to be a college or society of ten of the principal

the manor by the freemen will next be an abomination in the eyes of the lowest class of the peasantry (*Hintersassen*); and thus things can never rest till all the villages are dissolved, all properties divided, and every inhabitant receives his equal portion.

As, therefore, the old system of casts is founded on the inequality of men established by Nature, secured to the race, and enforced by superior power, the system of the present policy is founded on an ideal, which can only be realised at the end of time, when, through the power of money and industry, all inequality of possession has been removed; when the difference of natural endowments has been destroyed by cultivation; when all estates have been so intermingled, that every head of a family may at the same time be High Priest, Commander-in-Chief, and the enlarger and supporter of the whole empire. As, how-

---

men in each village, who were responsible to the King for each other. The Saxon word *Borge*, a security, is by etymologists generally derived from *Burg*, a fortress, as affording *security*, so that the word *Friborg* may either be interpreted *free security*, or the free place, by which the security was given. *Trans.*

ever, the present is interposed between the beginning and the end of things, and in all probability is nearer the commencement than the termination, both systems are equally inapplicable, and the last more so even than the first; and it would be well, therefore, to have recourse to a medium, the modified Estates-system.

Having reached this point, we can now, without difficulty, explain the ground of the whole of the misconception in the present theory, which lies in this, that the idea, though essentially free and unconditional in itself, on its entrance into a real representation, is subject to the conditions of a natural necessity, which, on any violent revolution or change, may, indeed, be warded off for a time, but which on the re-action soon takes a dreadful revenge for this inattention to the universal laws of Nature. Hence Christianity, which merely considers the ideal man, could pronounce, without hesitation, the equality of men before God; but the inequality of men in the eye of the State is connected with various relations, for instance, with the manner in which Nature has dealt out her

gifts, with the manner in which the living has taken possession of the real, and with positive rights derived from earlier times. In like manner, the alchemists might establish theoretically the idea (well-founded in itself) of the similarity of all metals; but when they endeavoured to realise this idea by transmutation, they found in these laws of Nature, by which they were represented in a divided state, an unconquerable obstacle to their attempts.

Those very metals, which should pass for more or less in society, according to the measure of the advantage derived from them, have become for it an image of the internal specific difference, as their relative price is established agreeably to a standard altogether conventional, and in no manner according to their utility. In the same manner in paper money, the same rag, without any intrinsic worth whatever, passes for one, ten, or a hundred, of any supposed value, merely because society has agreed to take it at such and such a rate. The State has proceeded, with respect to the Estates, on the principle followed in fixing the value of metals. The Estates may certainly

be modified by a reformation, in such a manner as to adapt them to the age; but they can only be wholly abolished by a revolution.

In the remotest times a nobility existed in Germany. These nobles, after many conflicts in the expeditions of the Franks, succeeded in subduing all Germany, and at length almost all Europe. At a later period, under the feudal system, they formed the knighthood, and partly elevated themselves to the situation of immediate estates of the empire. At a still later period, they again entered the retinue in the standing armies and the court service, and thus they have come down to us in a determinate shape, and with positive rights. With these rights they now enter into the great contest for right. The conduct of the Congress up to this hour, has convinced them, that to make sacrifices without constraint, is a piece of folly; and that self-willed power, in the long run, succeeds in carrying every point. This maxim they intend to act on in their turn, and they demand back their privileges as their right, without infringement.

On the other hand, the third Estate are enraged in the highest degree, that their rights must discharge all the debts of the past and the present times. In vain they are told of the romantic and the middle ages, the patriarchal condition of old times, of ideal and real characters. Their sound sense and correct tact tell them that they have long outgrown their old relations; that the forms, dead in themselves, have long become too narrow for their enlarged life. They feel, that if old rights have devolved to the nobles from the remotest antiquity, young rights have arisen in themselves, which they are in no way warranted in surrendering. They feel, in short, that the time is come for concluding a completely new contract between the different classes of society. However much the conflicting parties may in the heat of a dispute deny each other's rights, and to whatever length they may carry exaggeration, yet when a contract is in contemplation, the contracting parties must commence with a mutual guarantee of the durability of their separate existences.

However much, therefore, we may extol

the princes with corrupting eulogies, and attack the nobles as the only source of all mischief; the princes will never seriously persuade themselves that an estate of which the rights rest on the same foundation with their own legitimacy, is essentially hostile to them. The nobles, again attracted by their interests to the throne under ordinary circumstances, now feeling themselves violently driven from the third Estate, must necessarily devote themselves to the policy of the court with an accelerated motion. And accordingly this has uniformly taken place in Bavaria, Baden, Nassau, and every where else, as soon as the empty combats with the tongue began to terminate in any actual result.

On the other hand, a bold and dangerous game is now played by those members of the nobility, who, delaying by their intrigues the conclusion of a salutary work, add only to the general irritation, and waken all the dormant passions. When the enraged animal breaks loose, when the raging sea has forced its way through the feeble sand-banks, the deluge will then overtake these audacious men. Both parties have,

indeed, an equal interest in coming to an amicable arrangement. The one party should prudently give up what cannot be retained, and satisfy themselves with a part of their claims, which are certainly well founded, in a legal point of view. The other should bethink themselves, that in the most despotic of all constitutions, that of the Turks, there are no nobility, and that consequently the mere disappearance of that body affords no additional security against the arbitrary power of the ruler. By accepting of a remission of claims under a peaceable arrangement, instead of annihilating the whole by force, a general bankruptcy will be prevented, in which it is true all positive law would yield to the law of Nature; but other debts would be incurred, for whose payment every individual, from the highest to the lowest, must be personally answerable.

Such an arrangement in Germany seems evidently to be favoured by events. The gulph of a revolution actually passed, is not interposed here as in France between the parties; on the contrary, circumstances themselves have prepared the way for a

union. The third Estate following in its developement the general course of nature, has agreeably to that course produced from itself the two higher Estates, namely, the *Learned Estate*, in the literati properly so called, who, under the name of philosophy, dedicate themselves to the profane sciences; and a *nobility of merit*, who, during the late times, have more particularly acquired distinction and honour in war; and as citizens, now demand their place in the chamber and the aristocracy of property and talent. On the other hand, the nobles, when as land proprietors they have been forced to rely chiefly on themselves, as in the Rhenish provinces, for instance, have joined the third Estate; and the clergy may almost be said to flourish now only in their popular element, of priests and curates.

Sound sense would, therefore, seem to point to the only means of reconciliation which still remains. The third Estate, with its new nobility and clergy of to-day and yesterday, should recognise the old Estates of the same name, which came down to us from past times; and both should enter

into a union with each other, mutually renouncing old privileges and new pretensions, at variance with a constitution suited to the times. The historical nobles would, by recognising, in addition to birth, merit as the second necessary efficient of the future nobility, and by entering into a union by means of this very efficient, with the moveable nobility of merit of the third Estate, would thereby renovate themselves. Let the clergy no longer flee from science as the deceitful serpent, but rather, by the power of conviction, converting its centrifugal direction with regard to religion into a centripetal one, constrain it to devote its services to truth, and thus honouring the rights of that mental freedom which the age can in no manner renounce, restrain it solely through itself, and thereby introduce religion once more into life. The devising the institutions by means of which this union, here alluded to only in a general manner, may be carried into execution in all its details, will be the problem for the employment of the times immediately succeeding the present, and the solution of which, as we believe, will mark

in the most essential point the character of the future constitutions.

In such an order of things, as the antiquated will be refreshed from the fountain of perpetual youth, which flows in the third Estate, and by its mellow oleaginous quality matured in the course of years, will soften and temper, in turn, the fiery and ungovernable nature of the recent wine; a new and durable organisation, of which centuries may witness the existence, before it attains another climacteric, will be obtained from the elements of the old and ruinous political body, by a gradual developement, without recurring to the dangerous revolutionary incantations of Medea. As the third Estate is according to property, divided into moveable wealth and land, and as the latter again is divided into the flowing and the fixed, the nobility will, in like manner, be twofold, a *nobility of merit*, which grounded every where in the choice of the people, as a war-estate in the Landwehr, as a peace-estate in the office-bearers of the democracy and in its representatives, and a *nobility of birth*, which descending from past times, and placed by authority as a

military estate chiefly in the standing army, and in civil relations, in places at court about the person of the Prince, ranks among the civil officers named by the Government, and among the hereditary representatives in the legislature. As the popular choice may as often fall on birth, as the choice of the Prince may fall on merit, both elements may cross each other in all these institutions. In like manner the learned Estate will complete its twofold character, when on the one hand the clergy, as the guardians of belief, resting on the Scriptures, and tradition, shall cherish the esoterical, handed down from past ages, and not exclude the exoterical, the result of experience and speculation in the sciences, but rather acknowledge them as the real side of religion. By greeting the cultivators of science as their associates, as was the case in old times, and not living merely in the past, but entering into an animated commerce with the present age, a state of things might be established, which it may seem impossible indeed to introduce elsewhere; but which, from the direction the German philosophy

has taken in latter times, may be considered as something altogether national.

In this manner the two elements of the Estates will be united together in the most perfect manner. Authority descending from above as an expression of majesty, connecting itself with the authority of the Church, will descend through the Court, the nobility of birth, the establishment of office-bearers, and the army, all emanations from legitimacy; while freedom, essentially an emanation from the people, will first establish the basis of *life* in the third Estate, and then display its *volition* in the Landwehr and the office-bearers of the democracy. It will at last elevate itself, in the shape of public opinion, to the *mental* height, and obtain an organ in the learned Estate.

In the same order and union the representation will collect the scattered rays of these three faculties in one focus. In recent times the example of England has led to an almost general preference of the system of two Chambers, uniting a majority of the nobility with a minority of Prelates and Deputies from Universities in one Cham-

ber, and composing the second wholly of Commons. Such an order of things, from the almost complete absorption of the mental element, converts the three powers into two, and introduces all the disadvantages of an opposition, without any connection. The nobility, which predominates in the Chamber of Peers, cannot from its nature be a mediator between the Commons and the throne. Being an emanation from majesty, it is overshadowed by it, and in the ordinary course of things will be on its side. In a conflict, therefore, it is opposed as a party to the third Estate. In the Chambers, authority and freedom contend for their respective interests, and if the one has a veto on the other, the opposed and equal powers neutralise each other. The whole proceedings in all important things become a mere piece of grimace, a pure political farce, a parade, where there is much fighting and much marching and countermarching, but where, after all, nothing serious is effected. Moreover, as the conflicting parties, separated by walls, can only communicate with each other, by means of the dead letter, they are cut off from that

approximation which living and oral intercourse introduces; and the hostile brothers remain shut up in their separate houses, most implacably disposed towards each other. Public opinion naturally combats for one of the Chambers; the other, separated from the people, must withdraw sullenly into a corner, and bask in the favour of the Court. The nobility, however, deprived of every opportunity of wrestling with the Commons in a living combat, has no opportunity of acquiring the qualifications demanded of them, and spoil and rot in their tedious solitude.

To introduce, therefore, a fresh and rapid animation into the assembly of the Estates, and to call forth an active interchange of powers, in which every description of talents should participate for the advantage of the community, it will be found most advisable to unite the three Estates in one Chamber, and arrange them in three *Curiae*. The first would comprehend the Commons, and in such a manner that the principal interests should be represented, in which this Estate is divided. As the Corporations are for the most part abol-

ished, and their re-introduction by Government would merely be a repetition of the violence which took place at the abolition; and as the division of the representation in the present relations of the trades would be altogether trifling and unprofitable; the only divisions which, under the present circumstances, can be seriously thought of, is that of country and town.

The commerce of towns may be compared to the breath of life; and agriculture in the country, to its nourishment. Although in the animal economy the apparatus for the latter function is, in respect to quantity, much greater than that which serves for the process of breathing, yet with respect to quality they are fully equal to each other, being equally necessary to its existence. In like manner both functions of society are of equal importance, and in dignity the latter is one step higher than the other. Hence the effect of the exclusively qualitative representation would be shown most evidently in this, that if the representation of the country should always be double in number to that of the towns, as soon as the representatives come to an

understanding respecting their interests, on the question respecting the proportion of the direct to the indirect taxes, corn laws, &c. the most detrimental consequences would be exhibited. It might, therefore, be agreeable and advisable to allow to both together a greater number of representatives than are sent by the two higher Estates: but to place the town and the country on an equality with each other in this respect, and to divide them into two benches. The town bench might also be subdivided into two others; that of the possession of money for merchants, capitalists, &c. and that of trade and industry, for manufacturers and tradesmen, chosen according to the number of voters. The bench for the country might be chosen according to the relation of property.

The second *Curia* of the nobility would also be divided into two benches; one perennial, consisting of hereditary peers of the old nobility, on account of birth; the other periodical, consisting of the nobility of merit, nominated by the prince, from the office-bearers of the democracy, the heads of the Landwehr, &c. Finally, the third *Curia*, would in like manner consist of one

bench filled by the priesthood of the various confessions, partly in virtue of election, and partly in virtue of their office; and by another bench of learned men. In the provincial assemblies, the directors of Gymnasia, and other institutions for education, may sit as the abbots of convents did in former times; and the election and endowment must then necessarily be connected with the democracy; but in the Imperial assemblies, deputies should be sent from these institutions, and others from the universities and academies.

In such a chamber the two principal elements of every constitution would run through all the three *Curiae*. By their specific division, however, into various organs, a certain healing power would be infused into the whole, by means of which the two opposite elements might be tranquillised, and the disputes arranged internally; and thus the evil would be avoided of allowing things to proceed to an extremity, as in the system of two chambers, or having recourse to a forcible adjustment.

As in such an order of things, the union of the two higher Estates with the Court, a cir-

cumstance not only conceivable, but which has but too often taken place, might easily oppress the Commons; to provide against such an event, their great and permanent interests ought to be secured by the manner of voting, which might be variously modified, according to the character of the subject to be determined. As in the grants of taxes and conscriptions, geometrical and ponderable magnitude of possession on the one hand, and arithmetical numbers on the other hand are concerned, the division ought here to be regulated by a simple majority of votes on a telling of the voters, on which occasion, the third Estate ought properly to have the casting vote. In all investigations which have any reference to the democratic element of the constitution, and its relations upwards, or to the aristocratical element, and its relations downwards, the voting by benches ought to be adopted. In all the more elevated relations, in all subjects of higher legislation, in all matters in which the monarchical principle and the ecclesiastical preponderate, as it must be presumed that a knowledge of them belongs as essentially

to the government and the higher Estates, as fitness, ability, and knowledge of affairs to the people, it might be proper to vote by *Curiae;* with this proviso, however, that in all essential changes of the constitution; as originally *agreed on*, along with the consent of the Prince, a majority in the three *Curiae* should be required. In all other disputes of an important nature, as three elements are always present, a third will of course be interposed between the two conflicting parties; and as the nobles and commons will, from their interests, come most frequently into collision, the learned Estates may then discharge the functions of an umpire between them.

These forms, although fashioned according to the laws of nature, may receive various other applications, and may be modified in various other ways; as nature, though in all her living formations she selects the human form for her fundamental type, yet displays the greatest variety in the modification of the elements and relations of which the whole is composed; but these forms contain merely the automaton of the State, which is nothing but a lifeless carcase when

deprived of the internal soul that can alone preserve and move it, and give to it its spirit and character.

There are three fundamental principles of this communication of soul, which differ in dignity according to the elevation of the faculty in which they are rooted. The first is religion, which deriving its consecration from a higher region than the earth, seeks to infuse a sanctity into what is earthly, and converts the State into a sacrament. The ancient priesthood,—States, with which history every where begins, as the first government on earth had the form of theocracy,—were characterised by the predominancy of this principle. The priesthood having, in the course of time, allowed themselves to be carried away by arrogance, power, strength, and courage, soon asserted their right; and kings arose, who at the head of their followers subjected the nations from east to west, and gradually founded those universal monarchies, of which the acts are recorded in the book of ages. Here honour and the military virtues predominated; and the sword, as a sceptre, succeeded to the pastoral staff. But when

power degenerated into despotism, and oppressed the natives with an insupportable burden; all those in whom any energy, and any mental elasticity still remained, threw off at last the yoke from their necks, and democracies arose. Measures, and standards, and the plowshare, now came to be held in honour; civic virtues and republican feelings now came to be in request; to honour succeeded honesty; to consecration, ethical dignity, resting on the moral nature of man and the conscience.

This is the march which constitutions have taken throughout all antiquity, descending from the height of motives, transcending the region of the senses, down to a sensible, blunt, and business-like reality. Thus it was in the East; thus it was with the Greeks in the time of the priests, through the heroical age, down to the age of the people; thus it was with the Romans, whose theocracy originated in the Etruscan, who then run rapidly through their second period under their kings, to fill at last the greater part of their career in democracy.

Antiquity, however, represents to us only the ascending half of history. — Modern history, down to the middle ages, exhibits the same ascent in a different order. After this ascent in the people of ancient cultivation had terminated in the ruin of democracy, through Alexander and the Roman emperors, and Christianity had founded a new priesthood-State, the north, entering into the circle of cultivation for the first time, developed from the still vigorous democracy of the Germanic tribes a new universal monarchy under Charlemagne, and then through that monarchy, diffused the great theocracy over all Europe. But when under the Rhenish-frank emperors, in the highest stage of their dominion, a severe struggle took place between the warriors and the priests, these two powers were both severe sufferers from this conflict. The temporal power, however, first withered, and with the Swabian emperors the fame and the strength of Germany terminated. But the priesthood, after their support had fallen from beneath them, were equally weakened by internal dissension, ruined by de-

generacy, overthrown at last by the Reformation in the whole of the north, and shaken to their very foundations in the south. The empire followed the church, having been supplanted by territorial sovereignty. This last, again, has lost itself in its abstractions. And thus, as when the flower has withered, and the plant become dry, the life inclosed in the seed returns to the earth; in like manner, in the midst of the reign of universal despotism, the original democracy has been restored, though not *de facto*, yet *potentialiter* by a second ascending movement.

It is not indeed the old vigorously-shooting forest-power, with its fulness of natural impulses, which here returns; for there is a whole epoch of cultivation behind it; and the reproduction preceded in the character of the history which was advancing. But what was lost in the province of nature has been compensated for in the mental province. Hence an internal instinct impels the age unconsciously towards every thing by which it can fill the new circle which is opened to it. It struggles with all its strength to extricate

itself from that arbitrary power, more especially with which it feels there can no longer be any agreement, no longer any security externally, and no peace internally, no dignity, no hope, no love.

Arbitrary power itself has paved the way for this disposition. The lumber of statistics, the politico-economical doctrine of feeding, which would fatten men like so many cattle at the stall, and for the sake of gain would cram the bodily at the expense of the mental part of man, if all had succeeded according to its wishes, and mental emotions had not burst forth against its will with the rapidity of lightning, would have ended at last with that abominable Cretinism, in which the whole of the higher man, having sunk down into the mere vegetative sphere, lives merely in the glands. All this proved that authority had been long in a diseased state, and nearly on the point of falling a prey to the automatous.

Hence it is quite in the spirit of an age, bent, like the present, on emancipation, that, in the feeling of its necessities, and knowing where its strength and its weakness lies, it should shut its ear to every

thing that is not obvious to the senses. We may discover, without much difficulty, the source from which it has derived the fondness for constructing constitutions, like machines, according to the laws of the lever and the inclined plane, and in which landed property forms the dragging weight, and money the impelling spring; the chamber, the pendulum which regulates all the movements. The inclination to this mechanical system, as matters are now situated, is not to be condemned. Every age must act in the spirit which animates it, and the formative Proteus being now a mechanician, employed in putting together political machines, we must not by our obstinate opposition disturb him in his operations.

But at the same time we must never forget, that as in external mechanics we have long acknowledged the laws of nature to be fixed, and considered every attempt to oppose them egregious folly, we ought in like manner to admit in mentally-political mechanics the ethical laws, which stand on an equal degree of elevation with these physical laws, and punish in an

equally unrelenting manner every violation of them. The physical propositions, that with unequal ends of the lever, and with equal weight, the burdens must be in the inverse ratio of the length of the ends, or that in the descent of bodies the spaces are in the ratio of the squares of the periods of descent, are not more certain, not more unconditionally true in nature, than are, in the mental world, the moral laws, that rights and duties, freedom and obedience, giving and taking, are conditional with respect to each other; that every act of violence calls forth an opposite act of violence, and every extreme an extreme to combat it; that the omission of an enjoined good is as blameable an offence as the commission of a prohibited evil; that war holds necessarily the extreme points of opposition, while peace is only found in the temperature of the middle, &c. All these ethical laws ought to be received in society as equal in certainty with mathematical axioms; they ought, as inviolable maxims of universal application, to be mixed up with all its elements. When this is the case, it may then follow its instinct without danger;

it may then found its constitutions solely on agriculture and commerce, on joint stock shares and the aristocracy of property: dividing the operating and living powers in the constitution in various ways, and uniting them again diagonally, it may prosecute its mathematical amusements, and its stoichyometrical calculations, reduce society to the lowest stage of life, and convert it into a thousand-armed polypus.

When civic virtue becomes the only political prudence, this mechanism will then receive its animation, such as the age can give it, and only then, as an organic body, will it be able to protect and preserve itself. But never will this object be attained, if, assuming the badness of all men as an undoubted fact, according to the prejudice which at present prevails, more especially in France, we suppose we can find in forms and all their guarantees, and equipoises and controls, a surrogate for honesty. Every attempt on this principle has failed, and we may well consider this as a pursuit in the moral world, of a phantom still more unessential, if possible, than that of the *perpetuum mobile* in mechanics.

With the most perfect justice, therefore, and with the most praiseworthy constancy, *Adam Müller* in all his writings directs his attacks from the higher ground, on which he takes his station, against this dreadful error, which, originating in the coarsest and most material views, is as peculiar to the French in politics, as the system of enjoyment and self-love, well understood, has been in morals since the time of Helvetius. If Germans, however, have also participated in such a system, this has only been an error of individuals, which will never strike a durable root in the ethical sense of the nation.

Every thing, on the contrary, is now inclining to a different point. A general rectitude, and the idea of republican virtues, mitigated and supported by the remains of religious motives still in operation, are on the point of becoming the prevailing spirit of the public life of the nation. We ought not to complain that the course of the times has driven us to the adoption of views of too material a nature respecting state and constitution. This is the necessary consequence of what preceded: in the mo-

ther's womb the plastic powers alone predominate in the obscurity of secrecy, and the same thing has taken place in the work of formation of this century. We should preserve for the future all the parts of the former stage of formation, which still appear verdant and vigorous, and secure them against the wild tendency to destruction, which has taken possession of the present age. Pointing to a higher state of things, we may still kindle the spiritual flame where it burns dimly; and the spirit which remains hovering above the mass, will, in those who have out-run the age, give motion to its wings, that the breath of life may penetrate the work with its warming and genial influence.

But we can no more make futurity the subject of a postulate, than we can again awake the times which are past. Religion, which for the most part has withdrawn into the hearts of men, has for a time ceased to be a great constructing principle, as well as the old honour, which, in the general absence of honour during late centuries, became dried up. Hence the master in the present times employs only as workmen

those whom he finds still vigorous, and uses the others merely as assistants, according to their strength and power. When the generation, who, in the exigencies of a stormy period were strengthened only for the present, at the expense of their feeling for the future and the past, are once departed; when democracy has once extricated itself from the formal despotism to which it was bound, and struck a root in the old ground, and thereby given strength also and animation to powerless monarchy; when tranquillity and impartiality have succeeded to former suspicion;— then what is of a higher character will gradually assert its rights, and the movement, which for so many centuries has been continually in a descending order, will become ascending, as the impelling power of the spiritual faculty developed in the people, will at length overpower the inert mass, and again serve to elevate it.

The rivalry between the nobility of merit and the nobility of birth, will then convert true honour into a prevailing impulse. Holding a middle station between religious belief and earthly comprehensibility, it will

then receive intrinsic value from the vigorous foundation of merit, and current value from the agreement of society; and may become a point of reunion of strong powers of will in times of danger or great movements. In proportion as the old nobility perceive that their true test is the test of merit, the desire which is natural to man, of transmitting his honour, like every other possession, to a worthy posterity, will again revive also in the plebeians. Honour will not then lose itself as a mere wave in a stormy ocean, but go forth like a continuous stream throughout ages, and thereby become a still stronger bond of union. If this renovation of vigour, and this inheritance, at the same time, through many generations should be realised, then we should, as in ancient Rome, possess families who, having either descended to the people or risen from amongst them, as quiet and permanent types of character, endure beyond the mere passing day, and continue to be estimated not only through themselves, but also through the rich inheritance of old honours, always present in the remembrance of the people. They would

attach the people to them both by inclination and gratitude; the acquisition of either of which is never even thought of in the present contemptible system. The time will then come, when all the different tribes of Germany will act in the spirit which even now dwells in them, perceiving that their multiplicity is a valuable possession which they alone enjoy of almost all the nations of the present day; but that this blessing becomes a curse when destitute of any connecting unity; and that as many a confederation has already proved itself insufficient in the exigencies of the times for the common freedom and security, this unity should again be exercised by a powerful family, that the crown of Charlemagne may not with its burden oppress him whom his mantle fits, and who is in a condition to wield his sword.

In the mean time the religious sense will again escape from its present quality, and men will once more acknowledge universally that religion is not an old woman's tale told to the nations in their infancy, but the tie which holds minds together, the word of the creating Spirit of the world,

pronounced in human language; that even nature unconsciously celebrates her mysteries; that the state is merely the ground-floor of the church; and that public life and the cultivation of the sciences are divine worship. From the moral purity which still generally characterises the Catholic clergy in Germany, the higher sense and the enthusiasm calculated to dissolve the present deadness and numbness, and to communicate to forms their forgotten contents, may with great reason be expected to flourish again in that body. They will perceive that a dull and heavy *obscurantism*, which, in its foolish zeal, would persecute the light, the noblest gift of God, will not lead to this end. This would be an insult to wisdom, which has every where victoriously maintained its ground, which a confused knowledge only can disturb, and which a complete and thorough knowledge will always secure and preserve. It would be an insult to that freedom which God has granted to man, which, when only partially enjoyed, leads occasionally to error, but when fully developed sets bounds and measure to itself, when accompanied only by

sincerity of heart. Let the Catholic clergy then kindle the torch in the sanctuary itself, which will disperse along with darkness the frivolity in which alone infidelity has ever struck root. The Protestant clergy will aid this endeavour by making a proper use of their freedom, and by ceasing to confound the self-willed and capricious doctrine that comes and goes with men with the eternal truth, which is suitable to all ages. Guided by the Scriptures, they will, in their peculiar manner, deduce, from the relations of finite personality, the relations of the infinite. But they must first purify the scriptures from all the accessions of bigotry, selfishness, and worldly passions, that through the clear water of the precious stone the higher light may penetrate, which haughtiness and pride, by agitating the mud of human conceit, too often obscure and cloud.

The Sciences, if not pursued as a mere mechanical trade, dragging the cultivator down to the wretchedness of the earthly existence, but withdrawn, in the manner of ancient times, to the contemplation of the highest mystery, in philosophy as well as

religion, will no longer drag dow[illegible] striving spirit with a heavy weigh[illegible] assist in bearing it aloft to its high[illegible] tination. The various confessions wi[illegible] approximate to each other and their common source, not formally, from humour, or with a view to promote any particular purpose entertained by power, which only serves to waken a dormant fanaticism; but because a complete freedom bends itself to necessity. New fathers of the church will then arise, who, in a still greater degree than the old appropriated the knowledge of the Greeks, will obtain a mastery over the wisdom of the age, which will yield a ready obedience to its sovereign, and thus the sciences will again adorn their head with her starry crown. They will not attempt to found a system of priestcraft, which, under the pretence of sanctity, has nothing but worldly objects in view, and endeavours to pass off common passions for the suggestions of a higher spirit, becomes the slave of a crafty ambition, or revels in gross luxury and sensuality. This is all destroyed, torn asunder, and abolished, and never more will the age consent

to its restoration. But a worthy and venerable priesthood it will once more obtain, having, like every thing earthly, a root in earth, but whose domains lie in the mental kingdom which every day serves to enlarge, and from whose mouth the long-promised Comforter * so often looked for by the age, will speak to the people.

These views may be ridiculed as the dreams of a sanguine folly, but Christianity, which changed the shape of the world, was founded on such folly, and the present spirit of a sharp, cold, worldly, prudence, in its religious aphelion, will not surely be more immortal than the inspiration of earlier times in their warm perihelium. That lying and deceitful spirit, however, can point out no other way which does not lead to the effusion of blood, to civil war, insurrection, and atrocity. Above all things, however, the hope of masked rapacity, which conceives, that by pursuing the territorial system, it may attain supreme dominion by a subjugation of the various tribes

* "And I will pray the Father, and he shall give you another comforter, that he may abide with you for ever." St. John, xiv. 16. *Trans.*

from the awakened national feelings, and the numerous insurmountable obstacles which God has implanted in the nation, cannot fail to come to a shameful and disgraceful end. A German republic is less fantastical, and the establishment of a federal state in the forms of the American is much more probable, than that any State will be allowed to take a lead over the rest. No one State is willing to consent to such an assumption on the part of another. Hence all by-ways are cut off by the very nature of things, and we can only follow the single, straight, historical road, which leads directly to one end. All opposition is fruitless, all attempts to impede it superfluous, all artifices are powerless, the path must be trod. It matters not whether they tremble, or whether they are enraged, whether they have recourse to artifice or force, History will move on towards her accomplishment; the overpowering flood will rush on, though all the Kings on earth seat themselves along the sea-shore. We ought, therefore, to make human will subservient to the Divine Council, if we wish to prevent it

from being brought to shame. We ought to allow things to take their course, and not attempt, from above nor from below, to impede the progress of events. The nature of the German leads him to act with truth and justice, and whenever he departs from them, all that he does is characterised by awkwardness and stupidity, and unattended with a blessing.

In the first place, then, ye of the third Estate! allow yourselves in no manner to deviate from the path of legality! You have raised your voice against the phantoms of arbitrary power, which despotic ministers and courtiers of foreign countries first devised for the attainment of their ends, which imperious mercenaries established, and which, when introduced into this country, abstract writers, strangers to every thing like life, and jurists, who every where justly deserve the reproach of having treacherously lent their aid to cheat the people out of their liberties, reduced to a pedantical form that blunted its sharpness indeed, but rendered it on that account the more detrimental to the public. While rising up against the unessential abstrac-

tion, which has thrust itself, like a ghost, between the monarchy and the people, you have demanded back your ancient imprescriptible liberties, and you cannot fail to obtain them. You will no longer agree to pay according to the good pleasure of others, as if all the members of the chamber were their dependants and slaves; you wish rather, as in former times, to supply the State with taxes voluntarily granted, and not imperiously demanded. You will no longer allow yourselves to be ordered out with the army on every feud, but are determined to confine your preparations and your services to the necessary defence of the country against foreign invasion, as your forefathers did before you. You will not receive justice from tribunals which lose themselves in empty forms and sophistries; you will henceforth allow yourselves to be tried only by *Schöpfen* and juries. You wish that merit should balance every distinction of rank, and that commerce, speech, and opinions, should be free as the air you breathe. You will not, in any one thing whatever, allow yourselves to be made the blind instruments of

arbitrary power; but in free submission alone, yield obedience to the laws to which you yourselves have previously consented. These are your rights, and they cannot be combated. Their concession is not a favour, which can ever be postponed and delayed, and least of all, in an age which incessantly teems with new and most ruinous organisations and pretensions as with monsters.

But these rights, so good and well founded in themselves, you ought not to injure by any illegal acts of your own. In so doing you would only gratify your enemies. If Heaven has overpowered the monstrous Titan who swallowed up the Revolution, and acted in all its dreadful power, what else can withstand it in this age? Every attempt against your rights will be fruitless; it is a striving against the stream of history: let the fools wear themselves out; when they suppose they have ascended a great way, they will land in a breathless condition lower down than the point from which they began to swim. On right and justice alone can authority rest, and if they attempt to trample on them, their complete impotence

will soon convince them of the error they have committed. All the armies on earth are unable to annihilate a single mathematical truth, and still less can they shake a single universal ethical law. All injustice is abandoned by God, who assists the just cause alone. Though power should be arrayed on the side of injustice, it soon involves itself in its own contradictions, becomes entangled in its own sophisms, ensnared in its own inconsistencies, till all escape becomes at length impossible.

But then it is not the dead right which exists only on paper that can be maintained; the rights which have forced their way from the heart into life, can only, and will easily, be victorious. The more audacious the attempts of arbitrary power, the more closely ought you to stand by one another. If the light of all your eyes is always directed to one spot, a flame will be there collected as in a focus, which the most fire-proof will be unable to resist. Cease not to demand what belongs to you. Return incessantly to the same point; but in your course take care, lest in your impatience you should be tempted to overleap

any of the intermediate steps, lest you should take a step in advance, which you may be compelled to measure back again. If you only stand up with courage and determination for your cause, the result must crown your endeavours. But while you demand your own rights, cease not to respect the rights of others; and while you refuse to consent to any departure from the strictness of principle, do not refuse to proceed with equity in its application; for theory is sharp as the edge of a sword, and devouring as a flame; but all that is human is made up of opposites, and tempered by mild transitions, and its nature hates, like poison, all excess and intemperance. Do not allow yourselves to be instigated into any foolish contest; the very impurity of the source from which this instigation issues, ought to fill you with suspicion. While you are quarrelling, they are pluming themselves with the idea of carrying off the spoil. Do not believe that you can come into the enjoyment of a new freedom, without a new exertion, and that the good, without any effort on your part, will come to you in your sleep. The whole of the

struggle of the present day can only have *one* rational meaning, namely, that it is the result of a determination to proceed with more spirit, life and ability, than in the former struggle. Proceed in this manner, then, and your exertions will also be crowned with better fortune. If you act otherwise, you will find yourselves miserably disappointed; for constitutions are nothing without civic virtue. Had this been possessed by us, we should not have lost our freedom. The mere demand for its restoration, is not in itself a proof that the fitness for it has returned. The reproachful charge against the present age, that it is unwilling to obey, and yet knows not how to be free, is but too well founded. This is one great justification of the conduct of the governments, amidst all the injustice of which they have been guilty; for the reins of government cannot be given to the winds. The whole of the liberality of this generation has too often proved itself merely a masked arbitrary power. This has been frequently enough shown in the conduct of the most liberal, when enabled to carry their own principles into

execution. Whoever would have all for himself, and allow nothing to others, is a tyrant, and consequently a slave. Whether this disposition is shown by an individual, by an estate, or a corporation, it is the same thing, for freedom exists only in the middle; and the liberality which consists in taking only, without conceding any thing in return, is incompatible with it.

Ye of the Nobility! remember the twofold nature which ought to be united in you; the one inclined towards the monarchy, the other inclined towards the people. By devoting yourselves in latter times almost exclusively to the interests of the former; by placing yourselves in a state of unconditional submission in the service of courts and in standing armies, the peculiar honour of your rank and condition disappeared from amongst the people, who could see in you only the slaves of territorial sovereignty. You shared with this territorial sovereignty the pillage of the empire, by appropriating to yourselves, in your fiefs, the fund allotted for war. When you reflect on these things, you will not surely shut your ears to equity in the present con-

test with the commons. No prescription, no antiquity of title, can maintain its ground against revolutions. They fly with rapidity over centuries to the origin of the abuse, and the French Revolution, in one instant, demanded back from the Barons the whole of their feudal possessions. Do not, therefore, turn your backs on the equitable arrangement, which would concede to you your possessions, and refuses only to acknowledge the legality of the wrongs, which, through the corruption of the times, have become rights. Henceforward you ought to lay claim to no rights over persons; in taxation, your ambition ought rather to be to contribute proportionally more than others, than less, as you wish to pass for more than them. As even territorial sovereignty itself must consent to new arrangements, and make new concessions in every thing that relates to the constitution, you ought in nowise to withdraw yourselves from the just claims of the age for a renewal of the old covenants. But you have a good right to demand that the settlement should take place on the principle of an amicable arrangement; and you are also entitled to de-

mand, that, when the principles have once been established, the necessary interval should be allowed for carrying them into execution. The more you prove that the honour of your rank and condition still lives within you, the more will this idea extort esteem even from your opponents; but if you merely wish to exist as pensioners of the dissolved empire, your extirpation will then become a desirable object. Patch-work, such as later centuries have only furnished, is not required in the constitution. We want no diplomatic slurring over, no mechanical divisions, no violent unions of objects dissimilar in their nature, leaving all parties equally unsatisfied. All the spurious additions of a diseased age must be stript from the body of the State, that every organ may have what properly belongs to it; and the community may again flourish in health and vigour. But whoever would represent wicked abuses, seeks to perpetuate the diseased state of his country, and ought to be considered as an internal enemy, and even as the source of disease. Cover not, therefore, your unjust claims with your just rights, that your just rights may not be rejected

along with your just claims. All that owes its existence only to abuse, and to defects in the constitution, finds no longer any favour in the eyes of public opinion. The folly of the empty pride to which mere conventional advantages gives rise, the puffed-up conceit of hollow vanity, the whole of the absurd and unintelligible pretensions, grounded only on nobility of extraction, (*Junkerthum* *), have become the fable and the jest of the age; but a true, rightful, vigorous, and honourable nobility are every where wanting, and most of all in the highest situations, where but too frequently the

* It is hardly possible to convey, in English, the meaning of this word. In this country, nobility is confined to one individual in a family, all the rest falling into the rank of commoners; but in Germany and the Continent in general, all the descendants of a noble family claim to be included in the nobility, who thus form a considerable proportion of the nation. According to the Austrian conscription lists, the male nobles of the German and Hungarian part of that empire amounted in number to 239,505, while the whole of the male mechanics, tradesmen and other inhabitants of towns, amounted only to 448,589. A *Junker* is a person of noble extraction, without any particular title, and the word is never used except with the view of expressing contempt. *Trans.*

boldest, the most superficial, the most insipid and pitiful vulgarity, without dignity, decorum, or a trace of noble sentiments, appears only in a more glaring light from the frippery of its external decorations, and disgraces, on all occasions, the nation in the eyes of strangers. Such a nobility, not swoln with conceit in the tedious idleness of courts, nor boorish from a perpetual residence in the country, can alone be found in an active public life, in the gymnastics of the chambers, and the arming of the people; and such a school the nobles must seek, if they wish they should not be blotted out of the nation.

Ye of the Clergy! you are called on to preach to the people, obedience to magistrates. Follow then this vocation. Teach the people to honour and reverence civil order, even in its deepest degradation; to depart not from the paths of legality, and never to attempt, by insurrection, to burst with violence through the restraints of morality. But advance at the same time into the presence of princes, and their councils; and, under the protection of your sacred office, warning and punishing them like

their conscience, endeavour to awaken them to a sense of their duty. Admonish them to tempt God no longer, and after the signs which he has already wrought, and which these necromancers have expounded agreeably to their vain knowledge, that they ask no more from him, lest at last his wrath be kindled, and he send them a sign which shall consume them and their generation. The object is not merely the obtaining of constitutions, for whatever may be their wishes, constitutions they can no longer withhold; but these alone, as the experience of the last age has proved, are little in themselves, mere sounding brass and tinkling cymbals, so long as the spirit remains against which they were invoked, namely that arbitrary system, which proceeds with the most complete absence of consciousness of itself, that violence which forcibly bursts through all our relations, that forgetfulness of Germany, and that ignorance of all higher and nobler motives in public affairs, that endless centralisation and writing, that system of financial delusion, which a perpetual state of war in the midst of peace has introduced, and that

dreadfully unlawful state of things, which, if not so characterised by violence as in the times which followed the destruction of the empire, so much condemned and decried, is yet nearly equally insupportable. The people call for their rights, which arbitrary power withholds from them; they have exposed their documents and their charters. History is on their side, and gives testimony in their favour; all divine and human laws are with them, and honour and the sanctity of contracts, and the inviolability of oaths. All amicable means have been attempted, all lawful respites have expired. The Princes have been placed by God in the judgment seat; he has made them the dispensers and the representatives of his eternal justice, and woe to those who will not do what their sacred office imposes on them, who are deaf to the voice of justice, and turn away from well-founded complaints. Say to them, that all the responsibility of the future rests on their head, that they will be called to account before the judgment seat of God, both for the wickedness they have done, and the good which, though *commanded*, they have *omitted* to do. Re-

mind them how often God, during the last age, has visited their *omission* on Germany, and that all their passive well-meaningness was accounted as nothing in the day of his anger. Tell them, that if in their elevated station, they confound and perplex right and wrong, lawfulness and tyranny, justice and violence, the same confusion will soon be communicated to the mass, whose strength is alone kept under by the measure of the middle; and that when the irritated feeling of right, which has no where found justice, has once in its fury determined to do justice to itself, the contest will soon be at an end. No plan of conspiracy has been found on paper. Nay, after the charges of high treason, which have been preferred before the eyes of all Europe, they have been obliged to deny officially that even any enquiry into a conspiracy took place. But the fire, though smothered, does not the less continue to burn in the hearts of men; and from time to time a small flame darts forth, as a sign of the subterraneous burning, which is daily spreading, and awfully hollowing the ground beneath our feet. It is, there-

fore, adviseable to grant justice to those that demand only their rights, lest a longer delay should compel them to comply also with the demands of those who wish for more than their rights. The object of the better disposed persons in the present day is not to undermine authority, or to execute every audacious innovation which has entered into any disordered head. This incurable rage for innovation is possessed by arbitrary power, and it is against such a rage that the age has declared itself. That a usurper, to whom the bloody inheritance of a revolution devolved, should turn its own demagogical arts against itself, is natural enough; but what have legitimate princes, good-natured and well-meaning as ours in general are, to do with the shadow of a power which a tyrant only can really possess and exercise, and which for them is only the shirt of Nessus, which the Centaur, having saturated with blood, left them in death, as a legacy of perdition. The ruling houses, who have accompanied the people from the depth of centuries, who are one and the same with them, and united

with them through a series of so many generations, ought not to rule like emperors, by the bayonet, by the dead letter, by prohibitions and cabinet orders; but like fathers in the circle of their families, through the reverence of age, the love of blood-relationship, the confidence which wisdom and justice, frequently proved, never fails to inspire, the esteem which moral dignity every where commands, and the fondness which hereditary mildness infuses into all hearts. These are motives of which the present age is perfectly susceptible, should confidence again be restored; but there is scarcely a trace in it of the brutal superstition, which, when limited and fallible human wisdom assumes the privileges of omniscience, when impotence lays claim to omnipotence, and in the agitation of personal passions would be thought to possess infallibility, is ready to acquiesce in these arrogant demands. The age demands that an end should be put to this unworthy and degrading idolatry; that the wind of vain theories should no longer sweep through the dry leaves of protocols,

but that human understanding should take council even in human things, and that life and the spirit should again assert their rights in those cases where sad experience has shown that their assistance is most indispensable. All this you should say to them, and still more where necessary, that they may acknowledge the wonders which Heaven has done, and prostrate themselves before the world of ideas, which has disclosed itself in this age. Twenty years have they fought against these ideas, and been beaten almost to extermination; and when God at length took compassion on their calamity and their humiliation, and again sent forth a sign to them, they then trampled in turn over the enemy who had changed parts with them. Their authority is merely an idea of the same rank with other ideas, their consecration and anointment took place also in the name of the idea; whoever among them denies the authority of ideas, sinks to the rank of common mortals. He alone continues to rule who bears his head in their ether; but whoever breathes only with difficulty and

pain in earthly vapours, must serve as a slave, were it only to his own errors and passions, and History will blot out his name from her books.

Discite justitiam moniti, et non temnere Divos!

THE END.

Printed by Strahan and Spottiswoode,
Print rs-Street, London.

00026935

Digitized with financial assistance from the
Government of Maharashtra
on 21 October, 2015